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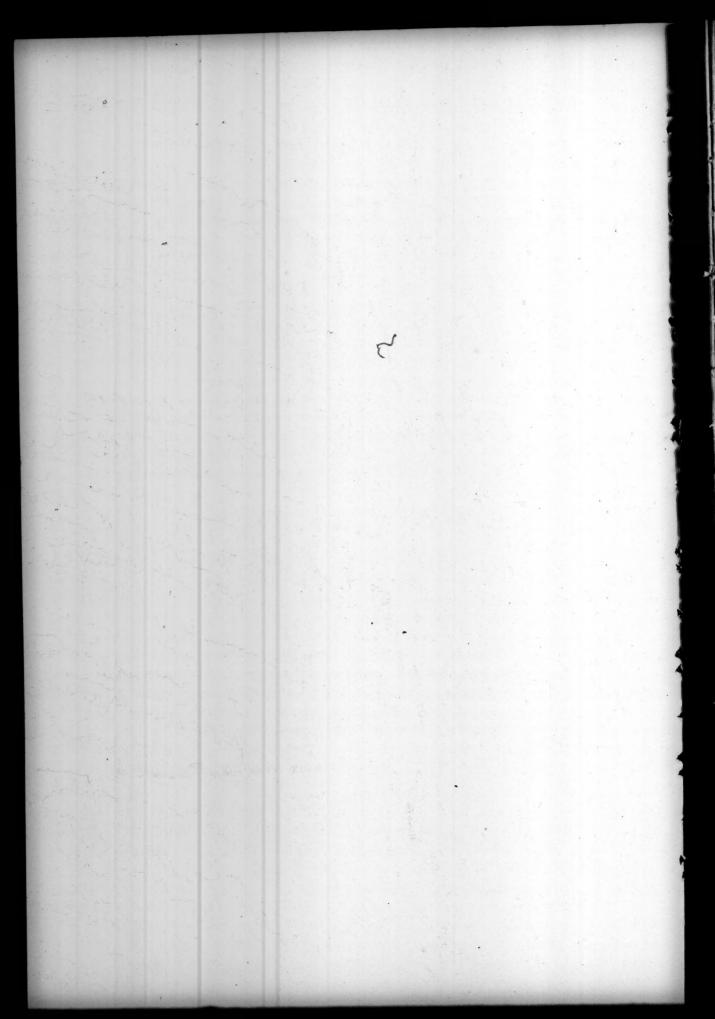
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THE ALTAMIRA CASE

By STANLEY FAYE

The Spanish colony called Venezuela climbed toward independence in the early years of the nineteenth century. Meanwhile one man from Louisiana, one patriot among Venezuela's ninety-five who first had reached up toward freedom, cried out like many another man from within the walls of Cabañas.

In an earlier year that was 1793 philosophy of the French Revolution blew in propagating clouds out of Paris. It drifted above England and rained down to sprout nettles in fields that the Tory government had thought to keep barren. From the mouth of Citizen Genêt, new French minister to the United States, it bounced about between Charleston and New York in bubbles that inflated themselves to be Democratic Societies. Held under pressure in Spain it exploded weakly in Madrid's conspiracy of 1795. Trade winds carried it to Venezuela, and young Don Manuel Gual and his friends of high and low degree in Caracas breathed it and dissolved it in blood that flowed thereafter more swiftly through their veins.

Chance and a Negro servant disclosed to the royalist government of Caracas on July 13, 1797, that a republican revolution prepared by Don Manuel had all but reached its intended point of action. Evidence of various sorts identified ninety-five men as conspirators. Among the four who avoided capture Manuel Gual continued his labors from a refuge in the West India Islands; Juan Bautista Picornell, known later as Juan Mariano Picornell, ranged sometimes so far afield as the United States. When the rest came to their trial in Caracas only a dozen were not proved

¹ Louisiana Historical Quarterly, XXIII (1940), 735.

guilty. Most of those convicted went as prisoners or as exiles to Spain, to Mexico, Cuba, Puerto Rico, Florida. On January 20, 1806, a man in New Orleans who signed his name, with the aristocratic particle "de," as Juan Bautista de Altamira addressed a letter to Juan Bautista Picornell in Philadelphia. He said he was one from among the ninety-five of Caracas, a veteran of more than two years of Spanish imprisonment. He acknowledged France as the source of his intrigues. He acknowledged Picornell as his leader. He begged for orders so that he might aid the still projected liberation of Venezuela.

Juan Bautista de Altamira wrote in a town where during two years past the American flag had flown in place of the Spanish. Spanish officials lingered in New Orleans even in January of 1806, but most had long since quitted Louisiana. Among these earlier birds of passage was Don José Vidal, who was born about 1755.2 Soon after 1780 Vidal had come to Louisiana.3 As an army subaltern he acted as secretary to the Spanish commandery of Natchez, beginning in 1792, and with Stephen Minor divided such Spanish influence as resided there in the ambiguous autumn of 1797.4 He sought to stay on as Spanish consul in 1798 when the treaty of 1795, fortified by an American commissioner in person, had pushed the international boundary southward to the Feliciana hills. The American government was loath to authorize a foreign agent in so delicate a situation and granted no exequatur for a Spanish consul in Natchez.⁵ Vidal removed himself across the river to the new Spanish post of Concordia, one league above the old Fort San Luis de Naches⁶ of that right bank, and acted there as commandant until Louisiana passed to the United States at the end of 1803.7 Then his government commissioned him as captain of cavalry and assigned him to field duty in General Grimarest's Regiment of Texas.8

² Louisiana Historical Quarterly, XV (1932), 55. In archive texts the signature appears as José Vidal in official dispatches; as Josef Vidal in unofficial letters.

³ Pedimento fiscal (undated; of 1804), third annex to Argote to the acting intendant, Jan. 8, 1807, Archivo General y Público de la Nación [de Méjico], Marina, 1802-1808; Vidal to the First Secretary of State, Sept. 1, 1809, AGM, Historia, volume 161.

⁴ Cf. Charles Etienne Arthur Gayarré, History of Louisiana (4 v.; New York, 1851-1866), III, 386, 390.

⁵ Cf. Dunbar Rowland, ed., Mississippi Territorial Archives, v. 1, 1798-1803 (Nashville, 1905), 47.

⁶ Clarence Walworth Alvord and Clarence Edwin Carter, eds., Trade and Politics, 1767-1769 (Illinois Historical Collections, v. 16, Springfield, 1921), 338; Piernas to Ulloa, San Luis de Naches, Sept. 14, 1766, and subsequent dates, Archivo General de Indias, Papeles de Cuba, Legajo 2357.

⁷ Rowland, op. cit., 293; Gayarré, op. cit., III, 398.

Solidal to Samper, Aug. 8, Vidal to the Prince-Admiral, Aug. 8, sixth and seventh annexes to Casa Irujo to Cevallos, July 15, 1807, No. 885, AGI, Audiencia, Santo Domingo, 87-1-10. Of the Philadelphia correspondence relating to Vidal's share in the Altamira case reference will be made to the principal of the first transmitting dispatch (Archivo Histórico Nacional, Madrid) and to the duplicado of the second (Archivo General de Indias, Seville).

A fortunate marriage had brought to Vidal the riches that permitted him in 1810 to retire from royal service and to live in Natchez with the reputation of a wealthy man. His wife, whose tomb still stands on the river bluff near Natchez, appears to have died before his transfer to Texas.9 She left to him not only wealth but also three half grown children, two sons and one daughter.¹⁰ These three, it seems, were sent to Pennsylvania to await their father's return from duties in Texas. To preserve their maternal inheritance Captain Vidal liquidated much of his property and confided the proceeds to his brother's care in Vera Cruz.11 Other property he left in charge of agents under whose care, or even neglect, real estate could not fail to increase in value. His military service in Texas changed itself unexpectedly to service as commander of Texas marines in the disastrous naval actions of 1805 off the Iberian coast. In Spain several months after Trafalgar Captain Vidal sought and obtained (with pay) a year's furlough in order that he might guard his interests remaining in the United States. He sailed from Cádiz on August 1, 1806, and in October visited the Spanish legation of Philadelphia to report his arrival to the Marqués de Casa Irujo, the Spanish plenipotentiary.12

Machinations of revolutionists had vexed the legation, but less sorely than might have been the case if the times had offered more certain means of communication. Even before the death of Manuel Gual in the West Indies Gual's European correspondent. Francisco de Miranda, the Venezuelan revolutionist of France and England, had known little of his fellow workers in North America. As to those in Philadelphia Miranda could say at the turn of the century no more than that the town harbored one from Bogotá, two from among the ninety-five of Caracas and "three others whose names are not exactly known."13 In Philadelphia early in the year 1805, the Spanish legation was no better informed concerning Juan Bautista Picornell than Picornell appears to have been informed concerning General Miranda. Not until

Ocatharine Van Court, In Old Natchez (New York, 1938), 21; Superior Orden, second annex to Argote to the acting intendant, Jan. 8, 1807, AGM, Marina, 1802-1808.

¹⁰ James Francis Hamtramck Claiborne, Mississippi, as a Province, Territory and State (Jackson, 1880), 195; Goodspeed Publishing Company, Memoirs of Mississippi (2 v.; Chicago, 1891), I, 624; Louisiana Historical Quarterly, XV (1932), 53-54; Vidal to Beaumont, Dec. 19, 1809, AGM, Historia, v. 161, third section, f. 97.

¹¹ Cf. Louisiana Historical Quarterly, XXII (1939), 800.

¹² Vidal to the Prince-Admiral, Aug. 8, 1807 (AGI), as cited.

13 Vicente Dávila, ed., Archivo del General Miranda (15 v. to 1938; Caracas), XV, 402; cf. José Felix Blanco and Ramón Azpurua, Documentos para la historia . . . del Libertador (14 v.; Caracas, 1875-1878), I, 309-310.

later in the year, after Picornell had sailed back to the West Indies, did the Marqués de Casa Irujo learn that a well known French resident of Philadelphia had been in fact the fugitive Spanish criminal of state under an assumed name.14 But the legation knew that Miranda landed at New York on November 9, 1805,15 and that in February of 1806 he sailed on a luckless adventure to liberate Venezuela. Not to Miranda but to the departed Picornell, and under Picornell's real name, Juan Bautista de Altamira in New Orleans had addressed his letter of January 20.

The Spanish minister had suffered distress caused by the machinations of Aaron Burr. Uncertainty ruled his mind at first as to whether Colonel Burr intended to capture West Florida or the viceroyalty of Mexico or intended to persuade Kentuckians and their western neighbors to set up a nation of their own independent of the American Union. By the time of the visit paid him by Captain Vidal the Marqués de Casa Irujo felt that Burr would try only the latter scheme, which the Spanish government itself had contemplated in earlier years. In mid-November a written mention even of the absurdity of a raid on Mexico seemed worth only a postscript. In the letter to which the postscript was added the Marqués confessed a mere possibility of incursion into West Florida,16 though on October 30 he had sent something more than a routine caution to the equally incredulous governor of that Spanish province.17 Captain Vidal, having protested his loyalty and sought from the legation a duty wherein he might prove it, left Philadelphia about November 1 with no official duties to perform in the west, but yet with the minister's promise to seek his good offices in case of need.18

On or about that same first of November the Marqués found an item of interest in a Philadelphia newspaper. The published list of letters remaining unclaimed in the Philadelphia postoffice included one addressed to Juan Bautista Picornell, whom the Mar-

¹⁴ Casa Irujo to Vidal, Nov. 7, second annex to Casa Irujo to Cevallos, Nov. 8, 1806, No. 757, AHN, Estado, Legajo 5545. expediente 1. Since Picornell was a Catalan he could represent himself equally well as a Spanish subject or as a French citizen.

¹⁵ Cf. Charles R. King, ed., The Life and Correspondence of Rufus King (6 v.; New York, 1894-1900), IV, 519, 578.

¹⁶ Casa Irujo to Someruelos, Nov. 16, 1806, AGI, PdeC, Legajo 1708.

¹⁷ Isaac Joslin Cox, The West Florida Controversy, 1798-1813 (Baltimore, 1918), 191,

¹⁸ Cf. Casa Irujo to Vidal, Nov. 7, annexed to Casa Irujo to Cevallos, Nov. 8, 1806 (AHN); Vidal to Casa Irujo, July 11, Vidal to Samper, Aug. 8, annexed to Casa Irujo to Cevallos, July 15, 1807 (AGI). In his unofficial letter to General Samper, Vidal increases the apparent importance of his mission by representing, without directly asserting, that he acted upon legation orders to spy upon the Burr expedition. The official correspondence, as cited and to be cited from Spanish and Mexican archives, presents this matter otherwise.

qués now knew to be absent overseas. Devious means soon brought the letter to the legation. Thus the Spanish minister became aware that the revolution of Manuel Gual continued in New Orleans unabated in the disordered mind of a certain Juan Bautista de Altamira. It seemed to be a farrago of nonsense and fluent ignorance that the Marqués read as Juan Bautista railed at "aristocrats" who had wronged him, in ways not described, even beneath the flag of freedom, while he himself preached a revolutionary doctrine to poor men. The preacher did not say that he had lost his position as an American officer of the peace in New Orleans. He did not tell what influence earlier had gained him such a post. Yet the Mexican Association of New Orleans appeared and disappeared in lines that sank from exaltation into depths of reality to rise again in such waves as this,

My misfortune has been that never a one of our own people has come here, and so I am here alone without ever a reply to so many [letters]. The worst of it is that I lack a protector and instructions and orders to do what the leaders think ought to be done; because I am still that same Patriot, that same Republican, that unchanging, that consummate one who lives for the sake of his honor and his rights and for those of his friends, practiced in skill never suspected of me by my parents, my wife, my children, or by the Citizens of our beloved Party either. I am he who never has sought profit except in order to give it to poor unfortunates.

Juan Bautista said that he stood sword in hand, his back to the wall. He reconsidered his situation, and he said he sat as it were with battleaxe in one hand and pen in the other. Immediately he turned to practical matters; from the master revolutionist Picornell he asked a political appointment in the forthcoming Venezuelan republic: "anything respectable, even though the pay should be no more than enough to live on." Then he fell to declaiming in esoteric terms such as secret societies had scattered across the seas. Figured language expressed his fear that prosperity in New Orleans might be drawing away from revolutionary duty certain unnamed Spanish subjects previously devoted in secret to the cause. 19

This first revelation of a Spanish secret society active in New Orleans alarmed the Spanish minister. He lost no time to fulfill

¹⁹ Altamira to Picornell, Jan. 20, annexed to Casa Irujo to Cevallos, Nov. 8, 1806 (AHN).

his promise to Captain Vidal by dispatching on November 7 a letter that, enclosing a copy of Altamira's letter, came to Vidal's hands in Pittsburgh. "This, then," wrote the Marqués, "is the important commission that I put into your care." He sketched, in inaccurate detail, the conspiracies of Madrid and Caracas. He charged Vidal to bring Altamira to arrest in Spanish West Florida by any means that might be effective. He described a first essay that, in the guise of a messenger from Picornell, Vidal should make by letter from Natchez in order to lure Altamira out of American jurisdiction and to the northern and Spanish shore of Lake Pontchartrain. His orders for a second step ran as follows:

If Altamira replies and you and he come to agreement on the time and the place, Don Carlos Grandpré, governor of Baton Rouge, for whom I enclose you a letter, will provide for you two or three soldiers, who will wait in disguise in the place where you and he are to meet and upon the arrival of Altamira and at a given signal will fall upon him and carry him off immediately to Pensacola, to the governor of which you will in that case send the entire story immediately, enclosing him a copy of the letter that Altamira sent to Picornell, and you will advise me likewise of his arrest.

If he should not reply to your letter you will inform yourself with reserve and caution in New Orleans whether the aforesaid Altamira is still there. If you find him you will pretend to be a strong republican and will speak with opprobrium of our government, and you will appoint some unfrequented spot in which to deliver to him dispatches from Picornell. For this purpose you could indicate to him some spot on the bayou or on the Carondelet canal. Having prepared beforehand a small boat and plenty of men, you will seize him by surprise and carry him across the lake nearby to the Spanish shore opposite, whence he will be taken, as I have said above, to Pensacola.

These are the courses that occur to me at this distance. The local knowledge that you possess will perhaps suggest others to you, and my confidence in your discretion is such that I leave you free to employ this or any other plan in order to attain the objective. It is necessary that you do not lose sight of one essential circumstance in executing whatever plan you may employ. This is, if he should be carried out of American jurisdiction, let it be with all possible precaution in order to avoid compromise.²⁰

²⁰ Casa Irujo to Vidal, Nov. 7, annexed to Casa Irujo to Cevallos, Nov. 8, 1806 (AHN).

A Machiavellian plenipotentiary proposed to violate the sovereignty of the nation to which he was accredited and thus put his mind at rest for the moment. The conspiracy of Aaron Burr remained to annoy him, but on November 16 he wrote of it without excessive emotion. Nine days later President Jefferson received from Aaron Burr's fellow conspirator, Major-General James Wilkinson, an exposition of Burr's plot against Spanish possessions. On November 27 a presidential proclamation denounced "a military expedition or enterprise against the dominions of Spain." No time remained for communication between the Spanish legation and Captain Vidal in Pittsburgh, but within the next dozen days the Marqués de Casa Irujo composed dispatches that concerned the Mexican project he had been ridiculing not long since and that discussed both Burr and Wilkinson. Thus he sought to enlighten the military officers of Texas.²¹ He forwarded the correspondence by the ordinary post to Natchez with orders to Captain Vidal to carry it westward immediately upon his arrival.22

Meanwhile Vidal in Pittsburgh had recognized opportunity opening to him for another special service to his king, even though not under commission. Boats of Aaron Burr's expedition, intended for whatever mysterious purpose, were already prepared well down the Ohio River. Authorities of government in Ohio and Kentucky were debating the proprieties and the means of putting the chief adventurer under restraint. The Spanish officer on furlough saw it as his duty to join the expedition if it should start off. Unseasonable cold had coated the quieter waters with A Spaniard from the south could but view this winter's prospect with dismay. Yet Vidal made ready the barge that he had bought and had equipped for his journey. Even the comfort, even perhaps the safety of his family he sacrificed to royal duty. In order that he might appear to his chosen companions of voyage as an ordinary traveller he took on board with him his children, "poor innocents" as he called them in pity for their discomfort. On December 1 his boat set out from that point where two rivers meet and form the Ohio.

In Frankfort, Kentucky, Colonel Burr for a second time came before the federal district court on the following day. Evidences of what might be a treasonable intent came in sequence

Annexes to Salcedo to Iturrigary, March 2, 1807, AGM, Provincias Internas, v. 239.
 Cf. Casa Irujo to Cevallos, July 15, 1807 (AGI).

before the grand jury to which the court held him. On the fifth the grand jury returned a No Bill to set Aaron Burr at liberty. Aaron Burr made haste to carry out his plan. At midnight of December 10-11 the first squadron of his boats left Harman Blennerhassett's island a few hours before officers of government arrived to put them under embargo. With these four boats a barge from Pittsburgh took the current. Burr's fleet increased to nine before it passed Louisville. One month later an officer from Natchez, government secretary as Don José Vidal had been in Spanish times, counted nine boats in the expedition. The commander of Fort Massac on the Ohio, unacquainted with the former commandant of Concordia, had counted "about ten boats" halting just below his post and thought them all to be bound by the same interest.²³

Down the Ohio and down the Mississippi River in unseasonable chill went the boats of Burr. With them went the boat that carried Don José Vidal and his innocents. By day a Spanish spy kept company with unsuspecting adventurers. At night a Spanish spy stopped where they stopped. Vidal dared not lose the boats from sight lest they should turn to the shore or into some affluent or effluent channel and send their human lading off across the land, to southeastward or to westward, on an errand not to the advantage of His Catholic Majesty.24 Talking with residents at villages here and there, Vidal assured himself that the Americans of the Ohio and Mississippi banks showed little sympathy for whatever might be the aspirations of Aaron Burr. To the expedition's refuge in Coles Creek, twenty-eight miles above Natchez, American officers came on January 16, 1807. Aaron Burr went to stand before another judge. Nine boats from the Ohio retreated a little way up the river. A tenth continued its voyage.25 On January 18 Natchez and a Spanish spy knew that Aaron Burr was held to a grand jury that this time would be more fully informed.

On January 17 four inches of snow fell upon Coles Creek,²⁶ but now in Natchez Captain Vidal might let his children warm

²³ Walter Flavius McCaleb, The Aaron Burr Conspiracy (New York, 1903), 186-247, 255-259, 268. Vidal speaks of only five boats carrying passengers, one being a chalan (flatboat) and four being barcos or lanchas con dos proas (hornboats with pointed bow and stern): annex to Salcedo to Iturrigary, March 2, 1807, as cited.

²⁴ Across the bottomland to Sicily Island, eighty miles east of Natchitoches, three different channels between the Arkansas and Natchez would have permitted access in high water. The stage of the Mississippi happened to be higher than the usual low stage for January.

²⁵ Vidal estimated the length of his voyage to Natchez as thirty-six days from Pittsburgh; he meant, from Blennerhassett's island.
²⁶ William H. Stafford, ed., The Blennerhassett Papers (Cincinnati, 1891), 188.

themselves before familiar fires. The Spanish government's agent there, General Wilkinson's friend Stephen Minor, could tell him if no one else could that the personal treachery of James Wilkinson had freed His Catholic Majesty of all danger from Aaron Burr. Vidal set aside his unofficial duty as completed and took up the specific duty that the Spanish minister had laid upon him. In accordance with instructions from the Marqués he wrote his letter to Juan Bautista de Altamira in New Orleans, signed it with the name Jacinto Eguía, put it into the post and sat down to await a reply. During six days he had enjoyed the comforts of Natchez when about January 23 the post arrived from the North bringing from the legation and to his charge dispatches of December 5 and 8 that beneath their seals were warning the Spanish officers of Texas to beware both of Aaron Burr and of James Wilkinson. The post brought also to Vidal orders to carry the dispatches to Texas. The secret agent wrote a report to the legation. He left his children in the care perhaps of relatives.²⁷ On the last day of January he was out upon another winter's journey. In Nacogdoches on February 7 he delivered his dispatches to a Spanish officer in that Texas post.28

February 20 found Captain Vidal in Natchez again. Neither then nor later as he waited did Vidal find in the Natchez post-office any letter from New Orleans directed to Don Jacinto Eguia. Down the Mississippi River the man of two names soon resumed his voyage. Fourteen miles above Bayou Manchac he stopped at the ruinous Spanish post of Baton Rouge to deliver to the commandant, Captain Charles de Grand-Pré, legation orders for co-operation concerning a Venezuelan conspirator in New Orleans. At Baton Rouge Captain Vidal met not only with Captain Grand-Pré but also with Brigadier-General Vicente Folch, governor of West Florida, recently arrived from the eastward after a journey that had given him new cause not to love his American neighbors to the southward of Bayou Manchac.²⁹

Inland waterways from the lakes to Manchac and the Mississippi River separated Spanish West Florida from the American Isle of Orleans. Here in these channels in August of 1808 cruised an American gunboat. Here the gunboat's commander

²⁷ Vidal's brother-in-law, Thomas Thompson, was proprietor of the Mississippi River ferry at Natchez: Louisiana Historical Quarterly, XV (1932), 58.

Vidal to Casa Irujo, July 11, 1807 (AGI); Vidal to Viana, Nacogdoches, Feb. 7,
 AGM, Provincias Internas, v. 239, as cited.
 Cox, op. cit., 194-199.

violated the sovereignty of the King of Spain. Above the international boundary he arrested an American soldier who had deserted American duty; he carried the man away into American jurisdiction. Loudly then arose protests first from Captain Grand-Pré and next from Governor Folch. From the Spanish legation the chargé d'affaires, temporary successor to the Marqués de Casa Irujo, complained to the American secretary of state. An embarrassed presidential administration ordered subordinates to surrender to the Spaniards not only one kidnapped soldier but also two other American captives formerly fugitive from American justice. Yet in the month of March, 1807, Governor Folch promised to Captain Vidal the aid of West Florida and of Captain Grande-Pré in helping their legation to violate, if it should be necessary, the sovereignty of the United States. 31

Only drifting tree trunks piled by the river into the head of Bayou Manchac would have prevented Captain Vidal from continuing his voyage by way of the lakes if the time of spring floods had already arrived. This route was of more interest to persons travelling in the opposite direction, from New Orleans. By carriage from New Orleans two miles down the Bayou Road, three miles by skiff on Bayou St. John to the bar that still stopped up that bayou's mouth, twenty-four miles by sailboat or oared barge northward across Lake Pontchartrain, a traveller could reach the West Florida domain of His Catholic Majesty at the point where roads led still northward to Natchez and other American towns. He might continue an inland voyage westward and through part of Bayou Manchac at any season of the year. Thus after a few miles of land travel he could reach Baton Rouge without thought to more than a hundred miles of current that otherwise his boatmen would have fought on the Mississippi River between New Orleans and Captain Grand-Pré's ruinous fort. Captain Vidal knew that he might not lack an embarrassment of fellow travellers as witnesses if he should carry a kidnapped Juan Bautista out of American jurisdiction and across Lake Pontchartrain.

Meanwhile the Venezuelan was still to be found. Some time near the end of March the Spanish officer took his dual personality down the river and to New Orleans. As Don José Vidal, a well known man of property, he proceeded openly to collect old debts

³⁰ Ibid., 222-223.

⁸¹ Cf. Vidal to Casa Irujo, July 11, 1807 ('AGI).

owing to him. As a Spanish secret agent he proceeded in secret upon his secret quest.

Two weeks of cautious enquiry among conservatives in New Orleans produced no one acquainted with a man named Altamira who might owe money to Don José Vidal. The secret agent visited the postoffice; the letter that Jacinto Eguía in Natchez had addressed to Juan Bautista de Altamira lay there unclaimed by the addressee. Why not, Vidal inquired of the postmaster, do as is the custom elsewhere and advertise undelivered letters? It seemed to the Americano a good idea. The list that soon made its appearance in public print included the name of Juan Bautista de Altamira. Cautious enquiry a week and more later informed Vidal that the New Orleans postoffice no longer held custody of any letter addressed to Juan Bautista. So Captain Vidal told himself that somewhere in New Orleans a Venezuelan conspirator was reading newspapers. Vidal continued with reserve to urge his old friends to locate for him a coy debtor.

It was the month of April. General Folch came sailing across Lake Pontchartrain on the twenty-third, invited to New Orleans by General Wilkinson and Daniel Clark,³² two members of the Mexican Association no longer in good standing. Captain Vidal viewed gladly the arrival of a governor who had promised him aid; viewed likewise the arrival in the governor's party of his own old sergeant from the days of Concordia, a Vizcayan Spaniard who had always carried out orders to the letter. Captain Vidal held the governor to his promise and borrowed the sergeant from him. The secret agent needed the help of a second secret agent; for he had found Altamira.

One of Vidal's old friends, conversing casually with a stranger, a soldier, in the streets, had remembered to ask about a man named Altamira. By chance the soldier could tell of that man. That man was a fellow who knew a lot about law. He talked a lot and drank a lot. Once he had been a peace officer for the American government,³³ but he was so no longer and did not have any money for repaying debts. He lived across from the barracks.

The sergeant late of Concordia could venture freely into that lower quarter of the town where the presence of Captain Vidal

³² American Historical Review, X, 834, XIX, 805.

³³ Alguacil en el Gobierno Americano: perhaps bailiff, deputy sheriff, or member of Governor Claiborne's first police force.

or Don Jacinto Eguía would arouse comment. Full of instructions from his former commanding officer the non-com examined the neighborhood of Barracks Street near the levee, found there a decent café and lodging house kept by a Gallegan landlord and found in the public room a lodger, Juan Bautista de Altamira by name, who replied politely to his brief word of politeness. Full of new instructions the sergeant went back next day, spoke again to Altamira and this time invited him to drink. The man whom a soldier had described as always drinking a lot refused the invitation. With practiced skill Altamira put questions to his new acquaintance. When the sergeant confessed to being a Vizcayan, Altamira relaxed his vigilance. He too, it seemed, was Vizcayan. He accepted the sergeant as a compatriot and thereafter addressed him as paisano.

Through the early days of May the new friends improved each other's acquaintance. The man who knew a lot about law and talked a lot practiced his skill on a willing proselyte. He confided that he was expecting a distinguished friend, natural son of a Spanish grandee;34 if the friend should not arrive he himself would leave in July for Philadelphia. He explained his first refusal to drink; since he had been in New Orleans various persons under cover of friendship and of invitations to drink had sought to discover his secrets, but they had had only their trouble for their pains. He himself had taken part, he said, in the revolution of Caracas, and soon now his labors would all be repaid, because the Mexicans in a little while would be enjoying the wise laws of the United States. "You should understand, paisano," he said to the listener across the table, "that you are really simple-minded and that you are like the rest of the Spaniards, who suppose that American laws are tyrannical. But you are wrong. They are the gentlest of laws."

Daily conversations continued, and so did the sergeant's reports made daily to the captain. Altamira did not vary in determination to remain in New Orleans until July. Captain Vidal grew impatient. Vidal invented a method of persuasion that ought to appeal to a talkative lodger in a Barracks Street tavern. Thus he described it,

Finally it occurred to me . . . to forge a letter from a soldier supposed to be on leave, written from Natchez to

³⁴ Apparently a mad reference to Picornell, whose claim to relationship with the nobility did concern only an ennobled manufacturer of soap.

the sergeant, composed in the style of such a person and telling that a cabin the sergeant was supposed to own there could be sold for only \$27, but that the 160 acres of land that the sergeant had left in his care could be sold for \$870, but that in order to dispose of it all a powerof-attorney was necessary and that American law was so complicated that he did not know what to do—and other things pertinent to the subject. Having drawn up the letter in these terms, I gave it to the sergeant, sealed but with the seal broken, so that he should go immediately to talk to Altamira and upon finding him should pretend distress and uncertainty; and if he thought that Altamira seemed interested in his apparent trouble he should say that he did not know what to do about the letter he had just received, and should show it to him; and it was natural that Altamira, pretending as he did to legal knowledge and noting that there was money concerned, would ask if he had money for making the journey, to which he would reply that \$300 was all he had.

Such ingenuity had the intended effect upon Juan Bautista de Altamira. "You are simple-minded, paisano," Altamira told the sergeant. "You know nothing about legal matters. Seeing you have that money, let's go to Natchez and pick up the money that is there, and from there or from here we'll go to Philadelphia."

It was not yet the end of May, but July and the natural son of a Spanish grandee retired in the mind of a poor man before the advance of money. Only one difficulty remained. Altamira owed \$37 to his landlord. Vidal gave \$300 to the sergeant to show to Altamira, and then reclaimed two-thirds of the cash. With the remaining \$100 the sergeant paid the Gallegan's bill and in company with Altamira set about buying supplies for their journey. At this moment Captain Vidal fell ill. Fever seized upon him. His physician sought advice from a brother medico. After three consultations the doctors despaired of their patient's life, but the patient regained his health almost as quickly as he had lost it.

Now it was early in the month of June. The sergeant had made all preparations. His route of travel with Altamira would be northward by public boat across Lake Pontchartrain to the point in West Florida whence a road led on toward Natchez. Governor Folch was still in New Orleans. Captain Vidal applied to him again for aid in the fashion that he was to explain as follows:

When I learned what time they were going to start I went to see Don Vicente Folch and asked him to send

one of his boats and some men to such-and-such a place in the Spanish possessions to arrest Altamira. He did so to perfection and was good enough to send to my house the officer who was to be in charge of the boat in order that I might tell him just what to do. I did so and warned him that he must keep well behind the boat in which Altamira was going with the sergeant; that he must not under any circumstances try to seize them aboard the boat, because that might give rise to disputes between the two governments; but as soon as Altamira and the sergeant should be ashore in Spanish territory he might capture them without any risk or opposition and then should carry out the orders that the aforesaid governor had given him.

It was still early in the month of June. Captain Vidal, not yet in full health, laid down in New Orleans the duty that had occupied much of his time since his arrival in Philadelphia. On the same day Governor Folch honored his lodging with a visit and honored Captain Vidal with a new commission. Well or ill, willing or not, Captain Vidal set out again in mid-month to carry Floridan dispatches to Philadelphia. On the eve of his departure for a 24-day sea voyage he received gratifying news in a message from the governor. Juan Bautista de Altamira was a prisoner, a Spanish subject arrested by Spanish troops in Spanish West Florida without international complications.

Don José Vidal reached the legation on July 10, not yet recovered from relapse into violent fever at sea but well enough to write out his report on the Altamira case.35 Three weeks of his furlough remained to him. The Marqués de Casa Irujo took from him even that remnant. The Marqués was no longer Spanish minister to the United States. Soon to begin his ascent to the favor of a king, to the post of prime minister, to the hatred of rivals, to imprisonment under accusation of treason, the Marqués in Philadelphia assumed a duty belonging by right to his chargé.36 He ordered Captain Vidal to return to New Orleans, there to be consular agent and to report concerning Daniel Clark's friend Leandro Muxo and other Spanish subjects and Frenchmen who might be less prominent members of the Mexican Association.³⁷ Notwithstanding petitions that went forthwith to Spain the Peninsular government omitted to grant Vidal the commission as lieu-

³⁵ Vidal to Casa Irujo, July 11, 1807 (AGI).

³⁶ Louisiana Historical Quarterly, XXI (1938), 679.

³⁷ Cf. Louisiana Historical Quarterly, XXII (1939), 800-803.

tenant-colonel that the Marqués recommended. The captain's army pay due for the past twelve months and for future years of unsalaried civil services in New Orleans the government ordered to be charged against the funds of Pensacola.38

It was as if the curse of a kidnapped patriot fell sooner or later upon the four principal Spanish officers who had concerned themselves with Altamira's misfortune. The Marqués de Casa Irujo spoiling white paper in successive prisons; 39 Governor Folch withdrawn in disgrace and poverty to Cuba to consider if it should please him to do so the debts of a dutiful younger son;40 Captain Grand-Pré dead in equal disgrace while Altamira remained still a prisoner in West Florida:41 on these the curse fell more heavily than on Don José Vidal, but against Vidal it made itself earlier evident. Soon after his return to New Orleans late in 1807 Vidal lent his personal credit to help feed a Spanish province42 that never succeeded thereafter in meeting its current expenses. From the beginning of his furlough on August 1, 1806, until he wrote his last consular report in December of 1809, his only Spanish income was his army pay as captain, chargeable against the funds of Pensacola and therefore not collectable.43 Yet fortune permitted Vidal to retire immediately to the comforts of Natchez, not as a Spanish officer but as an American citizen. In the following year he became a member of the Territorial legislature. In 1833 he died at the age of 78 and was buried not in the lonely tomb of his wife but in the city cemetery. Opposite Natchez, on the site of his Concordia army post and on the 1800 arpents of land granted to him and his sons in 1798, a town to-day bears his name, Vidalia.44

From the comforts of New Orleans Governor Folch had sailed out to Pensacola, capital of the province where it was his duty "to keep up troops, hospitals, vessels and other necessaries in

³⁸ Casa Irujo to Cevallos, July 15, 1807, and third annex (AGI).

³º Expediente sobre la Rl. Comisión contra el Exmo. Sr. Marqués de Casa Irujo, Padre, Archivo Histórico Nacional, Estado, Legajo 3412.

⁴⁰ Cox, op. cit., 592-593. Don Martín Folch at the time of his father's disgrace was living in Philadelphia attached to the legation with the title of consul for Savannah. The Spanish minister, Don Luis de Onís, accused him of having lived beyond his means and of a possible taste for venal treason in order to pay his debts. The government of Cuba detained the young man in Havana, where Don Martín gained the confidence of a subsequent administration: Onis to Someruelos, Dec. 14, 1811, Someruelos to Onis, March 20, 1812, AGI, PdeC, Legajo 1708; Ramírez to Indias, Oct. 11, 1817, AGI, Estado, Santo Domingo, Legajo 4.

⁴¹ Cox, op. cit., 325.

⁴² Ibid., 221.

⁴³ Annexes to Casa Irujo to Cevallos, July 15, 1807 (AGI); Vidal to the First Secretary of State, Sept. 1, annexed to Vidal to The Viceroy, Dec. 18, 1809, AGM, Historia, v. 161.

^{44 (}Goodspeed), Memoirs of Mississippi, I, 624; Claiborne, op. cit., 195; Louisiana Historical Quarterly, XV (1932), 65.

relation to its maintenance without paying for them year after year . . . in a country that produces nothing." To Pensacola too under guard went the kidnapped Venezuelan prisoner. Questioning of the prisoner convinced the governor that Altamira was in fact a minor one of the ninety-five from Caracas and that he had escaped to Louisiana from the exile to which the royal law court in Venezuela had condemned him. Folch recognized in Altamira a combination of "madness, lunacy and eccentricity." A person of twisted mentality was not in the estimation of Don Vicente a candidate for a criminal's punishment. Yet this man displayed "a strong inclination toward the revolutionary system" and therefore must be held under restraint. Lacking an insane asylum in his jurisdiction Governor Folch put Altamira into the village jail and made to Havana a report on which the governor-general failed to take action. 45

Pensacola was most importantly a town where a Spanish revolutionist left at liberty might injure royal interests in that still royal year of 1807. The Spanish empire had not enough income to maintain itself. Pensacola during its century and more of existence had always been a place to feel the first pinch of colonial poverty. The soldiers of West Florida did not receive their pay for the year 1807 until early in the year 1808. The province ripened for revolution with or without the aid of Aaron Burr, Juan Bautista de Altamira and the Mexican Association of New Orleans. Less than half its population was Creole; only one fifth its population was Spanish.⁴⁶

President Jefferson's embargo went into effect on January 1, 1808, and threatened to starve West Florida. Through questionable means employed in New Orleans, Governor Folch assured Mobile and Pensacola of food for a while, but he could have shipment from Louisiana only by pledging his own personal credit and that of Captain Vidal. His provincial treasury held emptiness, even though he and the officer acting as intendant converted to West Florida's use \$50,000 belonging to East Florida. For the year 1808 the soldiers of Pensacola received no pay. Residents and soldiers alike drew their belts tighter. Juan Bautista de Altamira in his calaboso, like other men in the village, went on short rations. Some time in that second calendar year of his

 ⁶⁵ Cf. Folch to Someruelos, Dec. 7, 1808, reservado, AGI, PdeC, Legajo 1565-b.
 66 Folch to Someruelos, Aug. 21, 1808, AGI, PdeC, Legajo 1565.

captivity he fell ill. The indigent but paternal government of West Florida transferred him to the military hospital.

In the autumn of that year 1808 Governor Folch in Pensacola experienced an unseasonable chill, like Captain Vidal on the Ohio, when he learned that one of his own unpaid sergeants, Santiago Bullosa, had been talking sedition in Pensacola. The wheels of government turned and cast Sergeant Bullosa into a calaboso. Thereupon the sergeant too fell ill; the army surgeon caused him to be transferred from jail to the military hospital. About the first of December the hospital also produced evidences of sedition. The case of Bullosa was reopened to include testimony that the Spanish soldier and the Venezuelan zealot had become friends in imprisonment. The fugitive exile from among the ninety-five of Caracas, that same Patriot, that same Republican, that unchanging, that consummate one practiced in intrigant skill, had found a new proselyte. Investigation brought forth "various seditious writings that, although false, were industriously and malignantly harmful." But these seditious writings were not the work of a sergeant; they revealed themselves as emanations from the disordered mind of Juan Bautista de Altamira.47

The situation in West Florida seemed thus to have grown too serious for correction by provincial discipline. Governor Folch determined to send both prisoners to Havana, Sergeant Bullosa on one boat, Juan Bautista on another in special charge of a junior military officer. So on or about January 13, 1809, the Spanish brig Roberto María transporting a Venezuelan patriot entered Havana harbor. The white city lay at the right. At the left the Morro, lacking its modern tower, crouched like a white cat atop its precipice and lashed behind it, atop the harbor cliff, a long white tail that was the long, low harbor wall of Cabañas. Not to Cabañas, the military prison, but to the Fortaleza, the military jail in Havana beyond the bay, the junior military officer from West Florida delivered Juan Bautista de Altamira, "accused of revolution in the aforesaid province." Again the wheels of government turned. On January 20, three years to the day after Juan Bautista had written a letter in New Orleans, an agent of Havana's judge-advocate was ordered to interview the prisoner. A Spanish trial dragged out its length. 48

⁴⁷ Folch to Someruelos, Dec. 7, 24, 1808, reservados, AGI, PdeC, Legajo 1565-b.

⁴⁸ Annexes to Folch to Someruelos, Dec. 24, 1808, reservado, AGI, PdeC, Legajo 1565-b.

This was no time for royal clemency. Now there was no longer even a Spanish king to exercise such a prerogative. The French Revolution, having scattered propaganda to the winds, had developed itself into an empire that in the summer of 1808 devoured much of Spain and both of Spain's rival monarchs, father and son. The government of Cuba was loyal to a new and fugitive regency in the Peninsula; it could not regard an unrepentant Venezuelan conspirator with the pity that a provincial governor had shown toward a madman.⁴⁹ On May 15 an officer of the Fortaleza carried a convict, Juan Bautista by name, across the harbor from Havana and saw him confined in a calaboso of Cabañas.

Cuba maintained allegiance to the Spanish Bourbon regency, but relegation of one rival Spanish king to easy life in the French emperor's new kingdom of Italy and relegation of the other to easy life in a French country house gave excuse to other Spanish colonies to take government into their own hands. On Holy Thursday of the year 1810 the spiritual heirs of Don Manuel Gual and of Juan Bautista de Altamira put under arrest the royal law court and governing council of Caracas at the church door. refused to receive their new regency governor-general. Under leadership of Dr. José Cortés Madariaga, a canon of their diocese, they formed a government that denied allegiance to the Spanish regency⁵⁰ and one year later was to renounce all allegiance to Spain and to the Bourbon kings. Records of Venezuela's Constitutional Convention testify that after the passage of still another year Juan Mariano Picornell came to Caracas and raised his voice in the Convention hall "to offer his services on behalf of the country and to reëstablish himself in Venezuela after persecution put upon him by the previous government."

From Cabañas in the previous year of 1809 Juan Bautista de Altamira could not send his own voice across the seas as he had sent it across a table in a Barracks Street tavern. Even the name of that mad patriot, if *Altamira* indeed was his real name, remains uncelebrated in Caracas to this day. Yet the unchanging, the consummate one who had talked a lot in New Orleans pre-

⁴⁰ On Jan. 12, 1808, the royal government of Spain had refused to offer a pardon to Leandro Muxo, whose offences in Mexico and in New Orleans were less than those of Altamira: Casa Irujo to Cevallos, Oct. 20, 1807, and minutes in hand of Cevallos in margin of annexed extract, AHN, Estado, Legajo 5545, expediente 1.

⁵⁰ Escudero to Apodaca, July 22, 1810, and annex, Archivo General de Simancas, Estado, Legajo 8284 (anterior).

served a small voice with which to cry out to the governor-general of Havana from atop the harbor cliff. Some compassionate jailor heard him. A scrap of waste paper as if cut from the edge of a letter still echoes the cry of Juan Bautista de Altamira in writing thus, though without the aristocratic particle "de":

Juan Bautista Altamira says that he cannot live on the daily one-and-a-half *reales* allowed him. Having been since May 15 in solitary confinement in a cell of the Cabaña, where the officer of the Fortaleza put him, he asks Your Excellency's consideration, to the ends of justice.⁵¹

Venezuela was climbing toward independence. One patriot among those Venezuelan ninety-five whom freedom earlier had enraptured cried out like many a man before him and after him from within the walls of Cabañas.

⁵¹ Final annex (undated; in the hand of the governor-general's secretary) to Folch to Someruelos, Dec. 24, 1808, reservado, AGI, PdeC, Legajo 1565-b.

LOUISIANA AND THE TARIFF, 1816-1846*

By JOSEPH GEORGE TREGLE, JR.

INTRODUCTION

Louisiana emerged from the War of 1812 into much the same world as did her sister states—a world of expansion and experiment, in a period which saw the transformation of the Union from adolescence to the full vigor of approaching maturity, from economic subservience to a station of independence. The completion of this change was to require the labor of generations, but in 1816 Louisiana turned to the immediate task at hand and looked about to find the best outlet for her energies. That her destiny lay in agriculture was evident, nor did it require a seer to forecast that in sugar and cotton was to be found the basis of future prosperity.

Sugar cane had early been connected with Louisiana's history, Iberville himself having planted it on the banks of Lake Pontchartrain in 1700.¹ The Jesuits had experimented with the crop through the years on a small scale, beginning as early as 1742,² although tradition holds that it was not until 1751 that members of the order in San Domingo sent cane and Negroes experienced in its culture to their fellows in New Orleans.³ In the succeeding years of the century, however, the attempts of Claude Dubreuil⁴ and other wealthy colonists⁵ to raise the staple led but to little, as cold spells and ignorance of proper technique in handling proved fatal to the crops.⁶

It was not until 1794 that lasting success came to efforts directed along these lines. Etienne de Boré in that year hired a professional sugar maker to supervise his project, and on the

^{*} Master's thesis in History, Louisiana State University, 1941.

¹ Pierre Margry (ed.), Découvertes et Établissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale (Paris, 1879-1888), IV, 376; Ruth L. Butler (ed.), Journal of Paul du Bu (Chicago, 1934), 57.

² Jean Delanglez, The French Jesuits in Lower Louisiana (Washington, 1935), 390.

³ This is the date given in Charles E. Gayarré, *History of Louisiana* (New Orleans, 1885), II, 62-63. An early French traveler in Louisiana also mentioned that in 1751 cane was sent to the colony from San Domingo. See Jean B. Bossu, *Nouveaux Voyages Aux Indes Occidentales* (Paris, 1768), 27.

⁴ Henry P. Dart, "The Career of Dubreuil in French Louisiana," in Louisiana Historical Quarterly (New Orleans, 1916-), XVIII (1935), 267-331. Several letters found in the Paris Archives by Father Delanglez and presented to Mr. Dart would seem to show that Dubreuil's attempts at sugar cultivation were not such failures as is often reported. Dubreuil died shortly after he began his experiments, and was unable to complete the work.

⁵ Delanglez, French Jesuits in Lower Louisiana, 391; Marc de Villiers, Les Dernières Années de la Louisiane Française (Paris, n.d.), 198.

⁶Philip Pittman, The Present State of the European Settlements on the Mississippi (Cleveland, 1906), 59; E. Wilson Lyon, "Moustier's Memoir on Louisiana," in Mississippi Valley Historical Review (Cedar Rapids, 1914-), XXII (1935), 259.

plantation which is the present site of Audubon Park in New Orleans, manufactured the first profitable sugar yield in Louisiana.⁷ So successful, indeed, was de Boré, that in 1796 he realized a profit of \$12,000 from his crop, and at the time of his death had amassed \$300,000 from the cultivation of cane. The eyes of Louisiana swung immediately to this new source of wealth, and the great sugar industry was firmly entrenched on her soil.8 A more favorable time for the introduction of a new crop into the region cannot easily be imagined. Indigo, once a principal product,9 had declined sharply in the late eighteenth century because of the drop in market price, the ravages of insects in 1793 and 1794, and the seeming indisposition of the soil to continue yielding any quantity of the crop. 10 Tobacco was still grown slightly, but it, too, had fallen off sharply, 11 and while Louisiana raised some foods, such as oats, barely, rye, and maize, none of these afforded any great prospects for the future. 12 Cotton was itself just finding a place among the agricultural products of the area. Earlier years had seen the white and yellow crops of Louisiana neglected, waiting for someone to find a method of extracting the seed successfully. But the discovery was not forthcoming, and because the extra weight of the pods pushed freight costs to heights which precluded hope of profit, cotton had finally been abandoned.¹³ With the invention of the cotton gin, however, and the influx of San Domingans into the colony in the late eighteenth century, the staple had been revived and made more flourishing than ever.14 Thus at the turn of the century Louisiana's lot had pretty well been cast with that of sugar and cotton.

Traveler after traveler in those early days gazed with wonder at the great plantations which began to dot the Mississippi's banks and at the streams of white smoke which identified working mills. As early as 1803 one of these pioneer tourists observed that 1,500 agricultural establishments could easily be erected on the seventy-five leagues of river coast suitable for

⁷ Gayarré, History of Louisiana, III, 348-350; John W. Monette. History of the Discovery and Settlement of the Valley of the Mississippi (New York, 1846), I, 297-298.

⁸ Gayarré, History of Louisiana, III, 349.

⁹ Baudry des Lozières, Voyage à la Louisiane, et Sur le Continent de l'Amérique Septentrionale, Fait dans les Années 1794 à 1798 (Paris, 1802), 163.

¹⁰ Berquin-Duvallon (ed.), Vue de la Colonie Espagnole du Mississipi (Paris, 1803), 147; Lewis Cecil Gray, History of Agriculture in the Southern United States to 1860 (Washington, 1933), I, 74.

¹¹ Gray, History of Agriculture in the Southern United States, I, 74.

¹² Ibid., 68.

¹³ Baudry des Lozières, Second Voyage à la Louisiane (Paris, 1809), I, 78.

¹⁴ Ibid., 78-79.

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cultivation, although, so far as he could see, there were no more than 800 in the entire colony, seventy-five of which were raising sugar cane. These were situated in lower Louisiana, the higher districts of the state being cotton territory. 15 Another gives much the same account of the agricultural terrain of that period, and even adds a table of the amount of sugar exported from Louisiana to the United States during the previous four years, the figures showing an increase from 773,542 pounds in 1799 to 1,576,933 in 1802.16 In July, 1806, Governor William C. C. Claiborne wrote to President Jefferson that the sugar estates had increased in value "one hundred 7 25 per Cent, since the Province was Ceded to the United States; and it is not probable that they have yet reached their true value."17 Similar opinion is found in practically every travel account on Louisiana of the period, and it is evident that by 1816 sugar had become one of the props indispensable to the prosperity of the state.18

But the very nature of the crop prevented its moving into a place of monopoly in the agricultural life of Louisiana. The cane was a tropical plant, and as such, was being grown in the state out of its natural climate. While in the West Indies the stalks matured during a period of fourteen to eighteen months, only nine months' growth was possible in Louisiana because of early frosts. Moreover, the expense of constructing necessary buildings and of acquiring needed instruments for production made large capital a prerequisite for entering the industry. Lack of Negroes to work the fields presented a problem from the beginning, and the lands of the state were not all suited to sugar, the upper regions being adapted mainly to cotton. No sugar estates are found more than one hundred miles above the city, Amos Stoddard wrote in 1812, "but cotton is cultivated in all parts of the country."

22 Stoddard, Sketches of Louisiana, 161.

¹⁵ Berquin-Duvallon (ed.), Vue de la Colonie Espagnole, 115-118.

M. ***, Mémoires Sur la Louisiane et la Nouvelle-Orléans (Paris, 1804), 102-104.
 William C. C. Claiborne to Thomas Jefferson, July 10, 1806, in Dunbar Rowland (ed.), Official Letter Books of W. C. C. Claiborne, 1801-1816 (Jackson, 1917), III, 362.

¹⁸ Thomas Ashe, Travels in America (London, 1809), 293-298; Joseph Scott, A Geographical Dictionary of the United States (Philadelphia, 1805); Amos Stoddard, Sketches, Historical and Descriptive, of Louisiana (Philadelphia, 1812), 161; C. C. Robin, Voyages dans l'Intérieur de la Louisiane (Paris, 1807), II, 223; H. M. Brackenridge, Views of Louisiana (Pittsburgh, 1814), 169.

¹⁹ Robin, Voyages dans l'Intérieur de la Louisiane, II, 224; Berquin-Duvallon (ed.), Vue de la Colonie Espagnole, 121.

²⁰ Berquin-Duvallon (ed.), Vue de la Colonie Espagnole, 121.

²¹ J. A. Robertson (ed.), Louisiana Under the Rule of Spain, France, and the United States, 1785-1807 (Cleveland, 1911), II, 318-319.

These two conditions, the need of considerable capital for participation in the sugar industry and the restricted area in which the cane could be grown, gave a decided numerical preponderance to the cotton establishments of the state. The prosperity of the cotton growers in the upper regions of Louisiana had been noted by early travelers no less than had that of the sugar planters farther south. By 1809 their staple was the chief crop of the settlements around Rapides, Avoyelles, and Natchitoches, and Pointe Coupée was termed the richest spot on the river.²³ The Attakapas, Opelousas, and neighboring regions also produced cotton as their principal crop, and it was clear that the number of Louisiana planters engaged in this industry far surpassed those growing cane.²⁴

William Darby reported in 1816 that sugar culture was confined to the area beginning at the Rigolets, and advancing through Lakes Pontchartrain and Maurepas, up the Amite and Iberville rivers to the Mississippi, thence west to Opelousas, including in that section and the Attakapas "only the shores of the Teche and a very small spot on the Atchafalaya." From this point the sugar region continued along the coast of the Gulf of Mexico, covering, in all, an area of 10,000 square miles. Continuing his estimate, Darby figured that from this territory, one thirtieth of the entire state, only 250,000 acres were suitable for sugar cultivation, whereas a far greater number could be put to cotton, which he concluded would always be the chief staple of the state because of its availability to more planters.²⁵

Such was the agricultural position of Louisiana in 1816. After decades of vacillating fortunes with indigo, tobacco, and maize, it at last seemed as if permanent prosperity would be hers if she nurtured and protected these two new-found staples, cotton and sugar. It was an opportunity which she resolved to grasp with a firm hand.

CHAPTER I

LOUISIANA IN THE ANTITARIFF COLUMN, 1816-1830

When Louisiana became the eighteenth state of the American Union in 1812, the Federal tariff then in force levied a duty of $2\frac{1}{2}$ cents a pound on brown sugar and 5 cents a gallon on mo-

²³ Ashe, Travels in America, 293.

²⁴ Berquin-Duvallon (ed.), Vue de la Colonie Espagnole, 118.

²⁵ William Darby, A Geographical Description of the State of Louisiana (New York, 1817), 223-233.

lasses. With the advent of war with Great Britain, however, all existing tariff rates were doubled by Congress, the duty on sugar jumping to 5 cents a pound, that on molasses to 10 cents a gallon.¹ Continuation of such emergency rates after the war would have greatly aided Louisiana planters to meet the competition of West Indies sugar in the American market. But by the terms of the tariff act of 1812 the war duties were to terminate a year after the close of hostilities, and the sugar growers were fully aware that unless Congress took some action to preserve the high duties of 1812, foreign sugar and molasses would soon be entering American ports at prewar rates.

Early in January, 1816, therefore, the planters of Louisiana laid before the national legislature a petition for the maintenance of the war duties on sugar, a plea backed by arguments which were to find a place in practically all future attempts of Louisiana to insure the protection of her great staple by tariff barriers. The memorialists insisted that no culture in the United States was more advantageous or important to the country at large than was that of sugar cane, and they called attention to the vast sums of money which, before the acquisition of Louisiana, had poured from this country to purchase the "sugar, rum, and molasses" of the West Indies.2 With the memories of 1812 still fresh in the public mind, the petition warned that in time of war, supplies from outside sources would indeed be uncertain, dependent perhaps upon the whim of a foreign governor. But, while the citizens of Louisiana rejoiced "in the means which nature has placed within their reach, of supplying the wants of the other States of the Union, they have at the same time to lament that their ability to affect it will depend on the fostering aid of the General Government."3

The need for this assistance was attributed to the peculiar circumstances attendant upon cultivation of sugar in Louisiana, where the cane was ever at the mercies of a climate not native to the crop. Lands were expensive, "large gangs of slaves" were indispensable, and costly machines and buildings made extensive capital a prerequisite for entrance into the sugar industry. Even after such exacting requirements had been met, it was pointed out, years might pass before a crop was produced sufficient to

3 Ibid.

¹ Tariff Acts Passed by the Congress of the United States from 1789 to 1897 (Washington, 1899), 39, 46.

² Annals of Congress, 14 Cong., 1 Sess., 1656.

return the smallest margin of profit. Emphasis was placed on "the numerous and dreadful . . . accidents that often blast the hopes of the planter." Such were the not-too-infrequent hurricanes, which brought ruin not only to the crop in the ground, but to the prospects of the ensuing year as well; the early Louisiana frosts, which prevented maturing of the cane; warm days in the midst of the sugar making season which soured the juice; the destructive attack of worms upon the cane; and crevasses in the river dike—all these made it plain, in the words of the petition, that the request of the planters for a continuation of the existing sugar tariff was motivated not by selfishness but by sheer necessity. As an added inducement to Congress to grant the boon, it was confidently promised that with such aid Louisiana would soon be able to supply the whole Union with domestic sugar and molasses.⁴

Far from being a singular petition of its kind, the memorial was one of the many which flooded Congress immediately after the war, all appealing for some protection of home industry so that America might be independent economically as well as politically. The nation was held in the grip of Clay's American System, and to be designated a friend of this new movement for making America self-sufficient and economically master of her own destinies was almost tantamount to being styled a patriot. Congressional notice of these appeals came early in 1816. In a report to the House of Representatives, Thomas Newton of Virginia stressed the necessity of fostering home industries as a measure of safety and advantage to every part of the Union, promising a mutual interchanging of benefits between manufacturing and agricultural states, to result in a moderation of the prices of all commodities.⁵ Aside from these nationalistic urgings of Newton, other factors made a high tariff desirable and even necessary at the time. Secretary of the Treasury Alexander J. Dallas had reported to the House that on February 12, 1816, the national debt had reached \$123,630,692,6 and since the tariff act of 1812 was about to expire, he had suggested that Congress turn its immediate attention to the formulation of a new schedule of duties to take its place. Obedient to public and official demand, the House Committee of Ways and Means, composed of a majority of

⁴ Ibid., 1656-1657.

⁵ Ibid., 962.

ª Ibid., 1699.

southern men, among them Thomas Bolling Robertson of Louisiana, reported a new tariff bill on March 20, which, although it reduced the duties levied during the war crisis, boosted considerably those which had been in effect previous to that time.⁷ The duty on brown sugar was set at 4 cents a pound, an increase of 1½ cents over the old prewar rate.

It was not long before this portion of the bill drew the fire of several of the representatives. Benjamin Huger of South Carolina moved to reduce the duty to 21/2 cents, arguing that the prosperity of the sugar growers was common knowledge and that no protection was needed for an industry which returned such lucrative profits.8 Robertson rose in immediate protest "to oppose the gentleman from South Carolina," and before he had sat down again the House heard an able exposition of the opinion of the gentleman from Louisiana upon the tariff question, an opinion which was to be common to that state's representatives for the next fourteen years. Robertson scored an earlier suggestion of Secretary Dallas that the sugar duty be placed at 2½ cents, a proposal which he identified with the motion of Huger then before the House as resulting "from inattention or forgetfulness . . . for it is at war with every principle he has laid down, and violates the whole system which he professes to approve."9

Louisiana, Robertson asserted, was able to supply the United States with all the sugar it might require, but to do this the encouragement of the Federal government was indispensable. "Is any manufacture more important to the nation?" he demanded. "Or is there one which might be aided by a duty on foreign competition with less burden to the community? Gentlemen, call it an agricultural product; is that sufficient to render it an object of prejudice? Have the manufacturers, already, by their combinations, succeeded in placing their employment on higher ground than that of the agriculturist?" Continuing his defence of the sugar industry, Robertson insisted that the question before the House was as vital to every other section of the country as it was to Louisiana, for if a native supply of such a necessary of life was to be allowed to die, what then would become of American independence from foreign nations? In times

⁷ Ibid., 1233.

⁸ Ibid., 1258.

⁹ Ibid.

¹⁰ Ibid., 1259.

of peace, he explained, the distant trade with New Orleans for the sugar supply would more than compensate for the loss to maritime interests of the West Indies commerce. Could the manufacturers of the North say as much for the trade of Europe, which their system threatened to annihilate?¹¹ Moreover, Robertson claimed, the duty paid on foreign sugar, if "taken from the pocket of the consumer, augments the public Treasury, because, although it affects the price, it will not in the same degree affect the quantity imported; whereas the duty laid on imported cottons, by excluding them entirely, is added to the price of the domestic manufacturer, taken out of the pocket of the consumer, and put into that of the manufacturer."¹²

The story of the great wealth of Louisiana sugar planters was also ridiculous, said Robertson, a tale probably based on false statements of the great profits which the culture was bringing in Georgia. A "gentleman from South Carolina tells us that his constituents are running into the business with the utmost alacrity," he added pointedly. "This may be so, but I beg leave to tell the gentleman, that after a very little while, they will run with redoubled alacrity out of it." On the other side of the question, Louisiana was a purchaser of all the articles mentioned in the tariff but one, sugar, and it was evident, said Robertson, that his state was accordingly being fined to support other sections of the Union. In return, she asked support of her great manufacture. Robertson summed up his address with a statement which could leave little doubt as to the position of Louisiana on the proposed tariff:

I fear, Mr. Chairman, that an interest is springing up before which every other is to be prostrated; the mere manufacturer is to be preferred; whether he be a manufacturer of the raw material, produced by our own country, or that of the other States, is not to be asked—whatever injury be done to the revenue, whatever ruin be brought on maritime industry, however much the agriculturist suffer, the manufacturer must and will be encouraged.¹⁵

The sentiments and expressions thus given voice by Robertson are extremely interesting as foreshadowing the line of argument to be followed so often and so ardently by Southerners in

¹¹ Ibid., 1260.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid., 1261.

the stormier tariff debates which lay ahead. It has often been pointed out that the tariff of 1816, the first to incorporate frankly protective features, was backed by southern leaders as well as northern. John C. Calhoun and William Lowndes of South Carolina are outstanding examples of such supporters of the bill, their expectations being, perhaps, that the South would benefit from a national prosperity following upon the heels of adoption of the prevailing ideals of the American System. Not until it appeared that the South would profit more substantially by trading with Great Britain than with the northern manufacturing interests, clamoring always for more protection, did the South throw its weight fully against the tariff issue. 16 As the representative of Louisiana in the debates of 1816, Robertson, however, was looking ahead to conditions which most Southerners were to agree had come to pass by 1824, and his denunciation of the supposedly grasping northern industrialists, not yet typically southern when he gave it vent, was to become an unfailing part of later oratorical efforts directed against protection from the cotton South.

In his fight against Huger's motion, Robertson found strong support in Lowndes, chairman of the Committee on Ways and Means, and Calhoun, but the prejudice against the sugar planters was too strong to be beaten, and the reduction was carried, 62 to 55, in a vote which saw northern representatives aligning themselves with those who opposed the sugar duty.17 This more or less sectional division typified the disinclination of the states to vote benefits to industries in which their own immediate fortunes were not entailed. The delegation from Georgia did have an interest in the culture of sugar, however, as it was hoped that the industry might some day take root in that state, and her representatives accordingly attempted to hike the duty to 5 cents. The motion was clearly doomed, and only the influence of Henry Clay of Kentucky managed to obtain a compromise rate of 3½ cents. 18 This agreement was soon undone, for the northern men renewed their attacks on the duty, and the rate was finally cut to 2½ cents in another clearly sectional vote. 19 Robertson was absent at the time of the change, but when the bill came up for final passage he cast Louisiana's single vote against it, setting

¹⁶ Edward Stanwood, American Tariff Controversies in the Nineteenth Century (Boston and New York, 1903), I, 160 n.

¹⁷ Annals of Congress, 14 Cong., 1 Sess., 1262.

¹⁸ Ibid., 1263.

¹⁹ Ibid., 1326-1327.

a precedent which was to be followed by Louisiana delegations for over a decade and through the stormiest of tariff debates.²⁰ The bill had no trouble passing the Senate, although the sugar duty was raised to the old 3 cent rate in a vote which saw no call for yeas and nays.²¹ The House concurred in the amendment, despite the opposition at "some length" of John Randolph of Virginia, who deemed the increase "not only oppressive to the people, but highly improper as coming from the Senate, whose right he disputed, according to the spirit of the Constitution, thus in effect to assess a tax on the people." After a reply from Robertson, the House supported the Senate's change, 54 to 48, and the bill was sent to the President.²²

In this precursor to the series of tariff conflicts which were to engage the nation's attention in following years, several cardinal principles of Louisiana's attitude toward the sugar duty were stated for the first time. From 1816 onward, for example, it was to be the policy of the state to insist, as had Robertson and the petition of the planters, that the duty was indispensable to the domestic industry because of the many obstacles to be overcome by the Louisiana producers; that the consumption of the goods of the other states by Louisiana entitled her to this protection; that the native industry saved the United States from dependency on the West Indies; and that the profits from sugar plantations were anything but exorbitant. These arguments were adhered to by the state down the years, independently of her stand for or against the general principle of protection, but the tariff debate of 1816 also settled definitely what position would be maintained by Louisiana on this broader aspect of the tariff question in the early period of the controversy. From the speech of Robertson it was clear that in 1816 Louisiana was willing to give protection to the sugar industry, but to the sugar industry alone. For protection as a general governmental policy she had no sympathy, nor was that attitude to change until 1830. Toward the manufacturing interests of the North, the same suspicion and hostility expressed by her Congressman were to govern the state's policy for over a decade, an antipathy which Robertson fostered among his constituents. Following the passage of the act of 1816, he wrote the Louisiana Courier: "The conduct of

²⁰ Ibid., 1352.

²¹ Ibid., 334.

²² Ibid., 1438.

the federalists of the east and north was on this occasion [consideration of the sugar duty], as it always is, when the interests of our state are concerned, decidedly hostile; altho' but the day before, the members of the south and west had united with them in levying heavy duties for the purpose of encouraging manufactures in which they were exclusively concerned."²³

The tariff question was revived in Congress in April, 1818, when the House considered a bill to increase duties on iron imported in bars, bolts, and as pig iron. Like most southern members, Robertson voted against the increase,24 and in the Senate Eligius Fromentin cast Louisiana's vote in favor of a reduction of the same duty.25 After 1818 interest in the controversy became more pointed, and the new House which met in December, 1819, was strongly protective in sympathy. Henry Clay was placed in the speaker's chair, a position which enabled him to name strong protectionists to the newly created Committee on Manufactures.²⁶ Following a report from Secretary of the Treasury William H. Crawford which revealed the need of an addiditional \$5,000,000 for expected governmental expenses in 1820,27 the new Committee on Manufactures reported a tariff bill on March 22 to raise the existing duties, the rate on brown sugar being set at 4 cents a pound.28 The bill was frankly admitted to be protective in purpose,29 and the debate which followed found the commercial and agricultural sections lining up against the manufacturing. Thomas Butler of Louisiana, although an advocate of the duty on sugar, voted against the bill with the antiprotectionists, but the measure passed withal, 91 to 78.30 The bill was short-lived in the Senate, being read on May 1 and, after little discussion, postponed until the following session. Henry Johnson and James Brown of Louisiana voted for the delay which in effect killed the bill.31

The tariff question lagged in the Congresses from 1820 to 1823, Clay no longer being a member and Philip P. Barbour of Virginia, an antiprotectionist, filling the speaker's chair. Several

²³ New Orleans Louisiana Courier, April 22, 1816.

²⁴ Annals of Congress, 15 Cong., 1 Sess., 1741.

²⁵ Ibid., 381.

²⁶ Ibid., 16 Cong., 1 Sess., 710.

²⁷ Ibid., 719-724.

²⁸ Ibid., 1663-1664.

²⁰ Ibid., 1917.

³⁰ Ibid., 2155.

⁸¹ Ibid., 672.

unsuccessful attempts were made to increase duties in 1821, but interest was lukewarm. Louisiana's delegates were quiescent in their opposition, though the butt of an attack by James Buchanan of Pennsylvania, who was grieved to see that although the cotton and sugar of the South were amply protected, "gentlemen, from these portions of the Union, are unwilling to afford a small share of that bounty to the Middle States, which has been so liberally extended to them."³²

Outside the walls of the Capitol, however, things were not so placid. On May 6, 1820, the *Louisiana Gazette* struck out at the tariff in a rather veiled sort of way:

We fear that "too much regulation" is becoming the order of the day. Paper systems to substitute gold and silver—duties on foreign goods to keep our gold and silver home—or to encourage manufactures. Such appear to be some of the favorite hobby horses of the times. . . . We are willing to lay any restriction for essentially protecting the means of national defence—or for countervailing a restriction in foreign states, to our disadvantage, where there is any reasonable expectation of procuring its abolition; but beyond them, we are disposed to leave labor and capital of themselves to seek their own employments according to the best views of their own interests. In these times of extraordinary embarrassment, we ought particularly beware how we prune the wing of honest industry. . . . Laissez-nous faire. 33

A few days later the Gazette alluded to reports in the Rhode Island American that manufactures of that state were exhibiting considerable activity, attributed to a decrease in imports, an increase in the skill of American workmen, and a growing disposition on the part of the American public to buy domestic goods. The Gazette expressed pleasure at this announcement, because it considered such natural growth as better than artificial promotion of "sickly precocity by stimulus of bounties and premiums." Other issues reprinted broadsides appearing in southern papers aimed at the protective system. Thus the Gazette's editor called the attention of his readers to an excerpt from the Richmond Enquirer which denounced the northern charge that duties were laid on spirits and sugar for protection. Revenue, not protection, was the reason for such duties, the Enquirer explained, pointing out that \$4,000,000 could not be

³² Ibid., 17 Cong., 2 Sess., 903.

³³ New Orleans Louisiana Gazette, May 6, 1820.

³⁴ Ibid., July 24, 1820.

spared from the nation's treasury.³⁵ Again, the *Enquirer* was cited as proof that the tariff taxed thirteen-sixteenths of the people for the prosperity of the other three-sixteenths, merely because they were manufacturers. It "seems, the more we yield, the more is demanded of us," keynoted the complaint.³⁶

More influential powers than the press, however, were looking with a hostile eye at the growing demands for protection in Washington. In his inaugural address as governor of Louisiana on December 18, 1820, Robertson continued to warn his fellow citizens against the encroachments of northern industrialists:

Shall I be excused too, for expressing my decided opposition to the attempt now making in Congress to encourage manufacturing establishments at the expense of the agriculture, commerce and navigation of the United States. I consider their interference for such a purpose, both unjust, and unconstitutional, and fear, if they prevail in increasing the duties agreeably to the Tariff proposed at the last session, the effect will be, in addition to the injuries already stated, to diminish the revenue, to increase smuggling, and every species of vicious and irregular traffic.

The union of the States is necessary to our respectability abroad and happiness at home.—I see nothing in the political affairs of the country that can endanger it. It is to be lamented that its harmony should be disturbed by questions of little importance in themselves, but unfortunate from their mischievous tendency and from the unfriendly feelings which they generate. Of this nature I consider the subject just mentioned.³⁷

By 1824 the protectionists had girded their loins for real battle, and the prospects of overwhelming victory for their system seemed at hand. President Monroe had said in his annual message of 1822, "I am persuaded that a further augmentation may now be made of the duties on certain foreign articles in favor of our own and without affecting injuriously any other interest." In 1823 he recommended "a review of the tariff for the purpose of affording such additional protection to those articles which we are prepared to manufacture." Finally, the Congress which was

³⁵ Ibid., May 29, 1820.

³⁶ Ibid., June 2, 1820.

³⁷ Journal of the Senate of the State of Louisiana, 5 Leg., 1 Sess., 22. Cited hereafter as Louisiana Senate Journal.

³⁸ James D. Richardson (ed.), A Compilation of the Messages and Papers of the Presidents (Washington, 1893-1899), II, 192.
30 Ibid., 216.

to consider these recommendations was chosen under the new apportionment of 1823, which gave the protectionists additional forces in the increased membership of the House from such strong tariff states as New York, Pennsylvania, Ohio, Kentucky, and Tennessee.⁴⁰

On January 9, 1824, the Committee on Manufactures reported a new tariff bill which considerably raised the existing duties but proposed no change in the prevailing sugar rates.41 A few days later, William L. Brent of Louisiana opened a sharp attack on the clause of the suggested tariff which called for a duty of 6 cents per square yard on cotton bagging, and throughout the debate on the bill was the chief speaker in opposition to that provision, one of the most hotly argued of the new schedule. The duty would be harsh on Louisiana, Brent claimed, because it would tend to be prohibitory, at a time when the United States was unable to provide enough cotton bagging for domestic use, a condition which showed the "extent to which gentlemen were disposed to push their system."42 At that very moment, he charged, Kentucky made no more than 60,000 yards of bagging annually, while the United States consumed better than 4,000,000 yards. Moreover, a recent census had shown that the Kentucky industry was lagging because of inferiority of produce, not lack of protection. Then, in emphasizing that he had been elected to "represent a cotton country" and not to vote for measures which would bear heavily on his constituents, Brent revealed the motivation behind Louisiana's hostility to the tariff. Important as was sugar to the prosperity of the state, it could not blind men's eyes to the fact that cotton, not cane, was still king in Louisiana.43

The conflicting interests of the state's two great staples continued to place her representatives in the embarrassing position of favoring protection for the sugar planters and refusing it to all others, and the unreasonableness of this attitude was soon brought to their attention by fellow legislators. David Trimble of Kentucky was quick to arraign the Louisianians for their inconsistency. Answering Brent's attack on the cotton bagging duty, Trimble assured the House that not only could Kentuckians provide enough bagging for the present United States, but they

⁴⁰ Stanwood, American Tariff Controversies in the Nineteenth Century, I, 198.

⁴¹ Annals of Congress, 18 Cong., 1 Sess., 960-965.

⁴² Ibid., 1515.

⁴³ Ibid.

had already supplied enough in 1815 to bale Louisiana's cotton, and after it was baled, they had "stood behind it and defended it." "I wish to know from the gentlemen of Louisiana," Trimble protested, "why we are to protect their sugar by high duties, and then go there and protect them and their cotton, too?"44

Some there were, however, who championed Louisiana's stand, none more ably than Churchill C. Cambreleng of New York, who hastened to deny Trimble's charge that the duties on sugar and cotton were protective in nature. They had been levied when Louisiana was as yet outside the Union and "not a pod" of cotton was grown in the country, Cambreleng argued. But those, he remarked bitingly, "who can transfer Hindostan to Carolina, in 1790, can with equal facility give history a retrograd movement, and tell us, what nobody can have the temerity to deny, that our ancestors generally [generously?] laid this duty to protect the planters of Louisiana, though then not within the circle of our Confederacy."45 Brent was quick to sense the strength of this point, and he too insisted that the "paltry half cent" duty which had been added to the sugar tariff since 1803 had been for revenue only. But it was vain to argue such plain facts, he added-"Louisiana will not vote on any arrangement or compromise—she goes on principle."46

Trimble, however, was unwilling to allow the matter to rest there, and Brent's motion to reduce the duty on cotton bagging still pending, the Kentuckian included in his opposition to the proposal another indictment of the reasoning of his adversaries. Whether or not the duties on sugar and cotton had been levied originally for protection, he maintained, protect they did at that time. "The whole people of the United States are taxed to protect the sugar grower, the planter, the rice grower, and the indigo maker," and it was high time, he thought, that some little protection be given Kentucky. Brent, however, denied that Trimble had presented a true analogy, because, whereas Louisiana alone could raise enough sugar for the entire United States, Kentucky could not supply enough bagging for Louisiana alone. much less for the whole country.47

⁴⁴ Ibid., 1519-1520.
45 Ibid., 1521.
40 Ibid., 1521.
51 Ibid., 1521.
52.
52 Ibid., 1523. Brent's assertion was more wishful thinking than truth. Louisiana was never to supply the full demand for sugar in the United States, and as late as 1899 'domestic manufacturers still only [provided] 16 per cent. of the sugar consumed in the United States." William C. Stubbs and D. G. Purse, Cultivation of Sugar Cane (Savannah, 1901), Pt. II, 16. In 1938, continental United States produced only 1,893,000 of the total 6,721,000 short tons of raw sugar consumed in America. The Year Book of the Louisiana Sugar Cane Industry, 1939 (New Orleans, 1939), 182.

The entire Louisiana delegation now threw itself into the fight against the cotton bagging clause. Henry H. Gurley flatly asserted that if the new bill purported to protect agriculture as well as manufacturing, it was indeed the queerest protection he had ever encountered, more to be feared by southern industry than the severest disposition of Providence. And, he remarked, while Louisiana was thankful to Kentucky for her aid in the New Orleans affair, that aid would be of little value if the bill passed, as Kentucky would take back, "and he must be allowed to say, with usurious interest," all the benefits she had bestowed. "God save me from such protection as this." 48

Brent was unrelenting in his hostility to the bill, and on February 17 he demanded of Clay whether the whole South should be taxed to support 500 westerners, a rather injudicious line of attack in view of the numerical weakness of his own sugar planting constituency. Clay evaded the question, however, contenting himself with a reflection on the selfishness of the other states in refusing to aid Kentucky in her need, especially when such aid would eventually result in lowering the price of bagging in America. "Yet, the gentleman from Louisiana continues his attack on the bill," he complained, "with a perseverance which plainly shows that, when his constituents chose him, they knew whom they were sending." 49

If Clay was loath to point out that Louisiana's skirts were not themselves unspotted in this matter of taxing the whole nation for the benefit of a small group of individuals, others were not bound by any scruples on the point. When Edward Livingston, the third Louisiana representative, reiterated Brent's attacks on the cotton bagging duty as a tax on the whole South for Kentucky's good alone, Peter Sharpe of New York pointed out that although it had been remarked that this was a duel between Louisiana and Kentucky, other states were just as vitally concerned, since, if the industry was sufficiently protected, cotton bagging would probably be manufactured by other states as well. And, he added, because of the sugar duty, Louisiana, of all the states, had least reason or right to combat the tariff. John Tod of Pennsylvania then entered the debate with a question which summed up the attitude of the protectionists: "They

⁴⁸ Annals of Congress, 18 Cong., 1 Sess., 1545-1546.

⁴⁹ *Ibid.*, 1560-1562. ⁵⁰ *Ibid.*, 1665-1667.

ask, Is it fair we of the South should pay three cents more duty on bagging? We ask, Is it fair that all the rest of the Union should pay the South three cents a pound on their sugar?"51 Now that the issue had been clearly forced, Livingston attempted to take a more reasonable position, and replied that it was true that there were only about 200 persons in Louisiana making sugar. Because these were now benefited by a general law of the Union, was there any reason why the remaining people of Louisiana should be taxed to support Kentucky? "Shall I sacrifice ninety-nine of my constituents because one is benefited?" he demanded. "Away with such arguments!"52

Despite the energies of the entire Louisiana delegation, Brent's motion to abolish the duty on bagging was lost, 94 to 107.53 Livingston's attempt to strike out the minimum principle in the woolens schedule also failed,54 and although the three Louisiana votes were cast in a later move to reduce that minimum, it too was a failure.55 In such a comprehensive debate on protection it was to be expected that the sugar tariff would be threatened. Leading the campaign against the duty which was of chief importance to Louisiana, Samuel C. Allen of Massachusetts twice attempted to place the rate at 2 cents a pound,56 failing each time. Randolph supported Allen's proposal, and in his usual uncompromising tone declared that the reasoning of the defenders of the sugar duty was "one of the most suicidal arguments that ever reared its spectral front in a deliberative assembly." For, he pointed out, if it were true that the revenue derived from imported sugar was indispensable, and equally true that the duty would soon allow the domestic industry to supply the American market, what would the treasury do for funds when the promised independence from West Indies sugar had been accomplished.⁵⁷ Despite a later attempt by Randolph to pull down the duty, the schedule was allowed to remain at the original 3 cents a pound.58

The bill finally passed the House on April 16,59 the Louisiana delegates having thrown their entire strength against every protective feature except those relating to sugar. In the Senate

⁵¹ Ibid., 1670. 52 Ibid., 1669. 58 Ibid., 1678. 54 Ibid., 2211.

⁵⁵ Ibid., 2257. 56 Ibid., 2210, 2314

⁵⁷ Ibid., 2314. ⁵⁸ Ibid., 2330-2332. ⁵⁹ Ibid., 2429.

both Henry Johnson and Josiah Stoddard Johnston of Louisiana favored a reduction in the duty on hemp, cast their votes against the minimum principle, and finally voted against the bill in its entirety. When the House refused to accept the Senate's amendment abolishing the duty on cotton bagging and sent it back to the upper chamber, Johnston argued so vigorously against retreating from the position they had taken, that the Senate likewise refused to capitulate, and it was only after committees from both houses had met that the duty was finally set at $3\frac{1}{2}$ cents.

One of the most contentious and widely debated tariffs in American history, the act of 1824 did much to clarify even further Louisiana's attitude toward the vexing question. The lengthy arguments in Congress gave birth to an additional tenet in the state's defence of the sugar duty, a principle which was to take its place alongside those developed by Robertson in 1816 as an unfailing part of Louisiana's tariff doctrine. To the older talk of small profits, great expenses and greater risks, economic independence, and the consumption of goods from other states, was now added the definite assertion that the sugar duty was entirely distinct from the protective system and rested primarily and simply upon the need for revenue. While this principle was to be distrusted by the Louisiana Whigs some years later, it was never entirely renounced by that party. The more conservative Democrats were to support it continuously. Moreover, the uncompromising hostility of the Louisiana delegation to the principle of protection as such, made it clear that the state was still firm in its refusal to foster any industry but that of the sugar planter. The manufacturing interests of the North and East were more than ever objects of suspicion and distrust, and Robertson's warnings had seemingly been taken to heart by his successors. By 1820 and 1824, indeed, the South had surrendered its idealism of 1816, and the antitariff sympathy of Louisiana found its counterpart among the other great cotton commonwealths.

The specter of protection was kept constantly before the people of the state both during and after passage of the act of 1824. One Congressman wrote back to the *Louisiana Gazette* early in May:

We have just taken the vote on the engrossment of the Tariff Bill for a third reading. It was decided in the affirma-

⁶⁰ Ibid., 744.

⁶¹ Ibid., 756.

tive, by a majority of three votes. They made three attempts to reduce the duty on Sugar, but thank God, they did not succeed. This bill has taken up the last ten weeks, and we shall be fortunate should it be destroyed at last, as I think it will be. It would bear exceedingly hard on our part of the country.⁶²

Brent was also determined that the activity of the Louisiana delegation in the late tariff struggle should not pass unnoticed, and in June, 1824, he addressed a public letter to his constituents, commenting in part:

The principle embraced in this law [the act of 1824], and avowed by its friends, would ruin the cotton growing states, depress our agriculture, restrict our Commerce, destroy our revenue, and lead to excises and direct taxation. I conceived it my duty as your representative, to co-operate with my able colleagues in opposing this dangerous policy, and in endeavoring to shield your interests from the destructive blow aimed at your prosperity. I trust our exertions have been productive of some benefit.⁶³

Following his re-election to the House Brent again addressed his constituents in October, 1824, and once more stressed the necessity of steady attention to the dangers lurking in the machinations of the protectionists: "Nor can I forget to remind you that the friends of the Tariff are not satisfied, and that attempts, again and again, will be made to impose that unjust and unequal burthen upon the Southern States. It is alone by firmness and exertion, that so great a calamity can be averted." 64

Perhaps to outweigh any resentment which might have resulted from his statements in Congress concerning the sugar planters, Livingston was also emphasizing to the voters of his district the necessity of maintaining the sugar duty in force:

From the cultivation of the cane, confined to this state and chiefly to this district, arises a duty on the person who represents you, of the greatest moment. The impost on foreign sugar has fostered and extended its home production, and in some degree counteracted the loss attendent on the numerous accidents to which the manipulation of this article is liable, and the interest of the great capital it requires. The frequent attempts that are made to withdraw or lessen this protection, the ruin that must ensue should they succeed, render this subject one of constant and anxious concern. 65

⁶² New Orleans Louisiana Gazette, May 11, 1824.

⁶³ New Orleans Louisiana Courier, June 2, 1824.
⁶⁴ Ibid., October 1, 1824.
^{c5} New Orleans Louisiana Advertiser, November 1, 1826.

Despite the forebodings of Livingston and Brent, the tariff question seemed to lie dormant in the months between 1824 and 1826. The step which was to arouse it once more was taken at Boston on September 14, 1826, when a meeting of wool manufacturers petitioned Congress for an increase of the duties on foreign woolens. They explained that whereas the tariff of 1824 had raised the rates on raw wool 15 per cent, it had carried only an 8 per cent increase on woolens. English manufacturers, on the other hand, profiting by a cheap wool supply at home, had flooded the American market with their goods, until the domestic industry was actually imperiled.⁶⁶

On January 10, 1827, the Committee on Manufactures reported a Woolens bill to the House, establishing no new rate in place of the existing 33 1/3 per cent, but advocating higher minimum provisions. Livingston opposed the bill strenuously on January 22, saying that while he had argued against the tariff of 1824, he was not disposed at that time to change its provisions merely to add money to the pockets of the wool manufacturers. The friends of the bill do not ask for protection, he charged, but for virtual prohibition.⁶⁷ The Louisiana delegation, still composed of Brent, Gurley, and Livingston, took little part in the debate, but cast their votes unanimously against the bill,⁶⁸ which passed the House but was tabled in the Senate, where Dominique Bouligny of Louisiana, a staunch Clay supporter, voted in its favor, the first support given by a Louisianian to protection in the national legislature.⁶⁹

The defeat of the Woolens bill was a prelude to the struggle which was to climax in the "Bill of Abominations." Recent study has tended to discredit the caustic Randolph's statement that the tariff of 1828 "referred to manufactures of no sort or kind, but the manufacture of a President of the United States," and it has been maintained that although politics did have a place in the discussion of 1828, "it was not a struggle between the Administration party and the Opposition." The plain fact was that any desire felt by the party leaders to bend the tariff situation to their own advantage was held in check by the very necessity

⁶⁶ Stanwood, American Tariff Controversies in the Nineteenth Century, I, 253.

⁶⁷ Congressional Debates, 19 Cong., 2 Sess., 786.

⁶⁸ Ibid., 1099.

⁶⁹ Ibid., 496.

⁷⁰ William O. Lynch, Fifty Years of Party Warfare (Indianapolis, 1931), 340.

⁷¹ Ibid., 341.

of their remaining before their constituents in a favorable light on this most delicate of subjects. Neither the friends nor the foes of protection could tamper or experiment with an issue which was vital to their respective sections. Consequently, the already existing divisions between pro- and antitariff men were maintained practically unchanged, and since neither Adams nor Jackson could be classed as the leaders of these divergent groups, it is probable that in the campaign of 1828 "the outcome of the tariff battle did not change the situation much."72 All this, of course, did not affect the bitter determination of the antitariff men to deal the death blow to the hated protective system, nor the equally stern determination of the protariff group to extend and entrench their program. The forces of the latter, however, were divided by the inescapable antipathy between the manufacturing interests and the producers of raw materials. Both groups favored a high tariff, but to protect raw goods would be to lessen the effect of any protection given to the producers of finished products.73 The antitariff forces, quick to turn such a situation to their own ends, planned a schedule which would raise the duties on raw materials to such a point that the entire program would be inacceptable to the manufacturers. In the bill reported to the House by the Committee on Manufactures, composed mostly of free trade advocates, the plan was followed with diligence duties were high beyond precedent on all but the one article for which the protectionists were then demanding aid—woolens.74 Confirmed antitariff members of the committee defended the bill with arguments which would have done the most thoroughgoing protectionist proud; but "the demand of the protectionists was denied at the most essential point, and the protectionist members of the committee were driven into an attitude of protest against a bill which was ostensibly what they asked for, and supported in the report by arguments familiar in their own mouths."75

Among the most undesirable provisions of the bill, insofar as the East and North were concerned, were the 10 cents a gallon

⁷² Ibid., 341-342. Stanwood, however, maintains that the tariff of 1828 was "used by a group of political intriguers at Washington as a club to beat Adams and as a means of electing Jackson," following the traditional interpretation that Adams, being forced to accept or reject the bill, would compromise himself with either North or South. American Tariff Controversies in the Nineteenth Century, I, 260. Similar treatment is given in F. W. Taussig, The Tariff History of the United States (New York, 1892), 94-102.

⁷³ Lynch, Fifty Years of Party Warfare, 341.

⁷⁴ On hemp, flax, and wool, for example, the duties were raised considerably. Congressional Debates, 20 Cong.. 1 Sess., 1274; Stanwood, American Tariff Controversies in the Nineteenth Century, I, 270-271; Taussig, Tariff History of the United States, 89-93.

⁷⁵ Stanwood, American Tariff Controversies in the Nineteenth Century, I, 271.

duty levied on molasses and the abolition of drawbacks on exported rum. These changes worked to the special disadvantage of such New England states as Maine and Vermont, since they would lessen trade with the West Indies and raise the price of molasses converted into rum by eastern distilleries. Antiprotectionists were vehement in their denials that the duty had been added to "weigh down the bill," insisting that such a provision had been advocated by Clay in 1824, and that it was desirable to foster such domestic industries as the molasses of Louisiana.77 But Rollin C. Mallary of Vermont, protectionist chairman of the Committee on Manufactures, as well as John Anderson and Peleg Sprague of Maine, and Jonathan Hunt of Vermont, denounced the molasses duty as ruinous to the prosperity of their section. Mallary deplored such an imposition on "an article of general use, of the first necessity, for the comfort and convenience of every class of people, especially of those in poor or moderate circumstances," and scored the contention that the trade in molasses was carried on by only one section of the country as "making the objection to the duty still more palpable." Anderson considered the proposal as aiming at nothing "short of the total ruin" of his state's trade with the West Indies, and promised that its acceptance would bring devastation not only to this commerce but to the industries whose produce was exchanged for that of the islands—the fisheries and lumber interests being cases in point.79 Sprague repeated Anderson's warnings, and added that those who spoke of protecting the industry of Louisiana could not evade the fact that such protection would prostrate the grain growers of Maine, who shipped to the West Indies. Where, he asked, was the "policy or justice of sacrificing one of these farmers to the other?"80 Hunt went a step further and recalled that the increase in the molasses duty had not even been called for by the sugar planters of Louisiana. They are, he said, "satisfied with the profits and protection which they now enjoy, and well may they be so, for it is a fact well understood, that the sugar plantations of Louisiana . . . afford a greater amount of profit than any other branch of agricultural employment in

⁷⁶ Congressional Debates, 20 Cong., 1 Sess., 1771. One southern delegate, however, was frank in his admission that he would countenance the molasses duty because it would probably result in the bill's defeat. *Ibid.*, 2344.

⁷⁷ Ibid., 2077.

⁷⁸ Ibid., 1745.

⁷⁹ Ibid., 1776.

⁸⁰ Ibid., 2069-2070.

this country."⁸¹ Livingston, however, defended the duty as an aid to the planters of his state. Repeating his opposition to protection and the "principles" of the bill, he confessed that since the measure seemed assured of passage, it was his intention to insure that some benefits at least would fall to Louisiana.⁸² Despite the extended speeches of the New Englanders, the molasses duty remained as reported by the committee, and, after a movement to reduce it had failed in the Senate, became a part of the "Bill of Abominations."

The Louisiana representatives were unwavering in their opposition to protection throughout the debate. They supported the antitariff forces in such early test measures as the call of the Committee on Manufactures for time to investigate the effects of the proposed rate changes, a move, protectionists said, to delay the bill.83 Gurley continued to oppose a high duty on cotton bagging,84 and Livingston harangued the "friends of the tariff," as he called them, to support their principles by voting for any and all proposed increases of duties, no matter what their object.85 After weeks of impassioned debate, the bill was finally pushed through the House by the protectionists as better than a sacrifice of their system, and the ingenious plan of the Southerners had resulted in the passage of a bill which satisfied no one. All of Louisiana's votes were cast against the measure.86 The Senate, which had been expected to kill the bill,87 surprisingly accepted it with numerous amendments, largely because Daniel Webster finally overcame his objections to the measure and carried enough New England senators with him to assure its passage.88 Johnston voted against the bill after supporting the molasses duty vigorously, but Bouligny, an early advocate of Clay's tariff policy, seemed undecided as to the proper course of action, voting yea for the third reading, yea for indefinite postponement, and yea for final passage.89

Bouligny excepted, therefore, the Louisiana delegates in 1828 were still to be classed as among the most ardent opponents of

⁸¹ Ibid., 1785.

⁸² Ibid., 2346.

⁸³ Ibid., 862.

⁸⁴ Ibid., 2202.

⁸⁵ Ibid., 2323.

⁸⁷ Taussig, Tariff History of the United States, 98.

⁸⁸ Ibid., 101. Webster's decision was largely influenced by the change which had transformed Massachusetts from a dominantly commercial to a dominantly manufacturing state.
⁸⁰ Congressional Debates, 20 Cong., 1 Sess., 786.

the protective system. The practice followed in 1824 of presenting the issue squarely to the people was continued, and soon after the bill had passed the House, Livingston wrote home:

Your representatives opposed it [the bill of 1828] because they believed it oppressive to the poor, unequal in its operation and calculated to increase the wealth of individuals, and of rich corporations in one quarter of the Union, at the expense of another, and for my part, I opposed it for the additional reason that I thought it was produced by an attempt to enlist an over-whelming pecuniary influence in the furtherance of political views. By a fortunate concurrence of interests, however, we were enabled to retain the duties on sugar, and to obtain in the bill an additional duty on molasses, which will, in some measure, defeat its injurious operation on our State in general, although even there it operates only in favor of one particular class of inhabitants.

Realizing the necessity of offering something to the neglected cotton planter, Livingston continued:

I could have wished that the owners of cotton plantations and the laborers and honest inhabitants of the parishes on Lafourche and the coast, might have been saved from the burthens of this bill, or, at least, have received some indemnity as well as the sugar planters. This, however, was not possible, and if the law pass, it must be the duty of your representatives, at some future period to devise measures by which that indemnity may be procured.⁹⁰

It must be remembered that 1828 was a presidential election year, and it is highly probable that in penning this letter Livingston, one of the original backers of Jackson's candidacy, had an eye more to the future than to the past. His references to the "rich corporations" and to an "attempt to enlist an over-whelming pecuniary influence in the furtherance of political views" seem clear moves to saddle the blame for the "Bill of Abominations" on the Adams party, rather than any reference to the more probable political machinations of the Jackson group, to which Livingston was so closely bound. By this period the tariff loomed large in the political affairs of Louisiana. As in 1824, personalities instead of strict party organizations continued to play the dominant part in the hustings, and in Louisiana the field was rather evenly divided among the followers of Jackson, Clay, and Adams. Despite the support Jackson was accorded as the "Hero of New Orleans," he was by no means sure of win-

⁹⁰ New Orleans Louisiana Advertiser, June 19, 1828.

ning the state in 1828. The strength of Clay, for example, is shown in the charge of his supporters that only by trickery was the Kentuckian deprived of Louisiana's electoral votes in 1824, when, they said, Jackson and Adams men had managed to force the state legislature to make its choice when many of the Clay backers, generally in the majority, were absent.91 Following Adams' election in that year, Clay's following was swung to the Administration, and the Jackson forces, with cries of "bargain" and "corruption," began an immediate campaign to elect their leader in 1828, a movement which gave birth to more definite political organizations. 92 The National Republicans, or Clay-Adams men, usually controlled state and congressional offices for the next few years, while the Democratic Republican party, a Jackson organization, was to prove victorious in presidential elections. This arrangement continued until 1834, when the Whigs replaced the National Republicans as the anti-Administration faction in Louisiana and assumed domination of state and congressional positions. In the local elections of 1828 the National Republicans, now definitely committed to the American System, were successful in making Peter Derbigny governor and in winning two out of three congressional seats. A majority in the state legislature, however, went to the Democratic Republicans.93 It was in this contest that national issues began to come to the fore, and a heightened interest was noticeable in the rapidly approaching presidential race, the citizens of the state taking definite stands with either the Jackson or Adams groups.94

Adams, while not the leader of the tariff party, was well known as an advocate of protection; the position of Jackson was somewhat more dubious, his declaration for a "judicious" tariff being capable of various interpretations to different persons and areas. In Louisiana, however, there was little hesitation on the part of either faction in formulating definite tariff policies for their candidates to defend. The Democratic Republicans paraded Jackson as hostile to the manufacturing interests but friendly to sugar and cotton, and denounced the President as a panderer to

92 Ibid., 50.

⁹¹ Leslie M. Norton, "A History of the Whig Party in Louisiana" (Ph.D. Dissertation, Louisiana State University, 1940), 49-50.

⁹³ Livingston was defeated in the First Congressional District by Edward D. White, a staunch Clay-Adams supporter. The other Louisiana representatives chosen were H. H. Gurley, a National Republican, and Walter H. Overton, who supported Jackson. New Orleans Louisiana Advertiser, July 19, 1828; Norton, "Whig Party in Louisiana," 60-61

Norton, "Whig Party in Louisiana," 61.
 Lynch, Fifty Years of Party Warfare, 341.

northern capital. The Adams following, on the other hand, loudly proclaimed that with the Administration party alone lay the safety of the sugar industry and the prosperity of the state. Several Jackson men of Baton Rouge, for example, expressed their "contempt" for the "unfounded allegation" that "General Jackson is opposed to the protection of the two important staple productions of the State of Louisiana,"96 and another insisted that the Democratic Republican leader's "strongest claim upon the suffrages of the people is the idea entertained that he will make use of his influence in reducing the Tariff and thereby favor the planting, farming, and commercial interests of a country now prostrate at the feet of the manufacturers, a circumstance we have little reason to expect from Adams."97 A "Florida Planter" appealed to the "People of Louisiana" through the New Orleans press to rebuke Adams and the American System, the "most perfidious attack ever meditated against the prosperity of the new States west of the Mountains and South of the Potomack," and an enslaving program which forces the "growers of Cotton, Tobacco, and Sugar" to "pay five dollars for goods which English and French manufacturers would sell them [for] one dollar and a half."98

The Democratic Republican press labored untiringly to demonstrate that the sugar tariff was not a part of the protective system nor in the slightest danger from Jackson's supposed antiprotection program.99 The Louisiana Courier rebuked the East for trying to enlist Louisiana under the tariff banner because of the sugar duty, and repeated the very contentions which had been stressed in Congress by such Adams men as Brent—that the tax was for revenue only. "Let not then eastern manufacturers attempt," said the Courier, "to involve us in the odium attached to those who are benefitted by protecting duties. We ask no such protection, we do not pray Congress to enact that foreign sugars, which may have cost four cents shall be considered as having cost twelve."100 Jackson was praised as a friend of the sugar planter, whose supporters in Congress had favored the increase in the molasses duty, while the Adams party had done all in its power to reduce the levies on sugar and molasses, in a move to

97 Ibid., January 12, 1828.

⁹⁶ Baton Rouge Gazette, November 24, 1827.

⁹⁸ New Orleans Louisiana Courier, November 9, 1828.

⁹⁹ Ibid., November 12, 1827; New Orleans Louisiana Advertiser, October 7, 1828.

¹⁰⁰ New Orleans Louisiana Courier, November 12, 1827.

prostrate the industry of a section the "prosperity of which is a thorn in their side."101 The cotton planters of the state, too, were warned that the Adams tariff policy was reducing English consumption of New Orleans cotton, and directly resulting in the "distress which causes Agriculture to pine and languish" in the cotton areas of the South. 102 In popular meetings at Alexandria and in the press of St. Francisville, the tariff of 1828 was denounced as "enriching one portion of the country at the expense of another."103 The cotton planters themselves began to question even the necessity of the sugar duty, and one wrote that "To shut the mouths of the cotton planters we are told that there is also a duty on cotton imported," all of which did not make him forget that sugar was a necessity of life and that the sugar planters were few and mostly rich, while the sugar consumers were many and usually poor. He expressed, however, a willingness to allow the sugar duty, "odious as it is," to remain in force for yet a few years, because it was under such conditions that most of the Louisiana planters entered the industry. 104 The Louisiana Advertiser in its appeals for the salvation of the cotton interests, even anticipated the later "forty bales" theory of George McDuffie of South Carolina, charging that the tariff was nothing but a tax on the exporters of the nation, by which the cotton crops were devaluated 50 per cent. 105 One of its clarion calls for opposition to the Adams regime read: "Louisianians! Fellow-Citizens! Countrymen! Republicans! . . . if you are anxious to co-operate in the mad scheme of Northern manufacturers to undermine your prosperity—give your suffrages to the ADMINISTRATION TICKET!"106

The Adams-Clay followers in the state were not yet ready to accept openly the protectionist doctrine of their national leaders, but contented themselves with solemn warnings of the disaster which would result to the state if Jackson were elected and placed in a position through which he might work for the removal of the duties on sugar and cotton. Speaking at Opelousas in 1827. Brent remarked:

I can see no reason why the present administration should be changed—we are happy under its mild, pacific, and just influence. What may be the consequence of a change?

¹⁰¹ Ibid., June 30, 1828.
102 Ibid., September 25, 1828.
103 Ibid., November 29, 1827; October 4, 1828.
104 Baton Rouge Gazette, July 14, 1827.
105 New Orleans Louisiana Advertiser, October 4, 1828.
106 Ibid., November 3, 1828.

Violence, proscriptions, and denunciations might ensue. Gentlemen, I can speak to you from observation and experience, and ask you, who are the opposers of the present administration in the councils of the nation and in the halls of the national legislature? I answer, the advowed enemies to "internal improvements," and the very men who are constantly threatening and trying to take off the protecting duties upon the sugar and cotton of Louisiana.¹⁰⁷

Speaking for the Democratic Republicans in rebuttal to Brent, however, John Slidell entered the tariff controversy with repeated insistence that the sugar and cotton duties were entirely separate from the Adams-Clay protective system, asking the voters with which group of men would Louisiana's destinies be safest—with Democratic Republicans of Mississippi and Tennessee, or with Clay-Adams followers from "a section of the country distinguished by its uncompromising hostility to slaveholders and slaveholding States," especially since cultivation of sugar depended so heavily upon slave labor. 108

There the matter stood when the election took place in November, 1828. It is difficult, of course, to determine just how much influence the tariff issue exerted in the outcome, but it is interesting to note that in parishes which grew sugar, and especially in lower Louisiana, where that crop was the principal staple, adherence to the Adams cause was strong, largely, no doubt, through fear of Jackson's possible hostility to the sugar duty. The nonsugar growing sections of the state, on the other hand, particularly the cotton parishes of the north, were practically unanimous in their support of the Democratic Republican party. Indeed, the supremacy of Jackson in these areas was almost unchallenged, only one parish which reported no sugar crop in 1828 giving Adams a majority. Six of the eighteen parishes in which sugar was grown, however, returned a vote favorable to Jackson, which may possibly be explained by the fact that in some of these areas, such as Orleans, East and West Baton Rouge, and Pointe Coupée, the influence of the sugar planters was by no means uncontested, urban classes and cotton growers comprising especially strong factions.

¹⁰⁷ Niles' Weekly Register (Baltimore, 1811-1849), XXXII (1827), 309.

¹⁰⁸ Reprinted from the New Orleans Louisiana Advertiser of May, 1827, by the New Orleans Louisiana Courier, June 13, 1843.

ELECTION OF 1828109

| PARISH | JACKSON | ADAMS | SUGAR IN 1828 (Hhds.) |
|---------------|---------|-------|-----------------------------|
| Plaquemines | . 29 | 68 | 7,592 |
| St. Bernard | | 89 | 7,656 |
| Orleans | | 665 | 2,787 |
| Jefferson | | 63 | 12,696 |
| St. Charles | | . 44 | 15,717 |
| St. John | | 77 | 9,000 |
| St. James | | 153 | 8,278 |
| Ascension | | 106 | 6,576 |
| Assumption | | 140 | |
| Lafourche | . 39 | 338 | 2,365 |
| Terrebonne | . 42 | 54 | 3,548 |
| Iberville | 400 | 66 | 2,249 |
| W. Baton R | | 62 | 883 |
| E. Baton R | 247 | 149 | 558 |
| St. Helena | | 53 | |
| Washington | | 44 | |
| St. Tammany | . 164 | 46 | |
| Catahoula | | 38 | |
| Ouachita | | 91 | |
| Natchitoches) | 242 | 139 | |
| Claiborne | | | |
| Rapides | | 82 | •••• |
| St. Landry | | 543 | 134 |
| St. Mary | | 130 | 4,528 |
| St. Martin | | 257 | 1,684 |
| Lafayette | | 158 | 169 |
| Concordia | | 42 | |
| Avoyelles | | 123 | |
| Pointe Coupée | | 68 | 535 |
| W. Feliciana | 225 | 98 | •••• |
| E. Feliciana | | 80 | |
| Totals | 4,603 | 4,076 | |

In view of the unquestionable opposition which Louisiana had shown in 1828 to the protective system as apart from the sugar duty, it is doubly surprising to find that in the short space of a year and a half the state was to do a complete *volte-face* and pledge herself wholeheartedly to the proposition that protection was harmless to southern interests and clearly within constitutional limits. Startling as this defection may appear, the ex-

¹⁰⁹ Figures for the election returns were found in the New Orleans Louisiana Courier, November 25, 1828. Estimates of the sugar crop were derived from the report of Pierre Degelos as printed in The Louisiana Planter and Sugar Manufacturer (New Orleans, 1883-1929), IX (1892), 68.

planation is discernible both in the revolution which was transforming the agricultural life of the state and in the growing power of the National Republican party. Sugar, as important a feature as it was, had never surpassed cotton as the chief staple of Louisiana or as the crop of the majority of planters. By 1820, indeed, the value of the state's cotton crop had exceeded that of sugar more than three to one, 120,000 bales of the former being estimated at \$6,960,000, and 30,000 hogsheads of the latter at only \$2,100,000.¹¹⁰ As a predominantly cotton state, therefore, Louisiana had followed in line with the other states of the Lower South and thrown her weight against the tariff.

The complexion of the story after 1828 was of a totally different hue. Cottton had been falling steadily in market price since 1824, as a glance at the following table readily shows:

| 1816 | 25.4 cents | per pound |
|------|----------------|--------------|
| 1817 | 29.8 | |
| 1818 | 21.5 | |
| 1819 | 14.3 | |
| 1820 | 15.2 | and the same |
| 1821 | 17.4 | |
| 1822 | 11.5 | 95.5 |
| 1823 | 14.5 | |
| 1824 | 17.9 | |
| 1825 | 11.9 | |
| 1826 | 9.3 | |
| 1827 | 9.7 | |
| 1828 | 9.8 | |
| 1829 | 8.9 | |
| 1830 | 8.4111 | |

This decrease in value was felt as acutely in Louisiana as anywhere else, and a cotton grower of the state wrote in 1829, "As long as our grand staple is worth as little as it is now, I think cotton planters, who wish at the end of the year to make 'buckle and tongue' meet, must produce at home everything that their necessary wants call for." 112

Nor was this adversity the only one confronting the Louisiana cotton grower in 1828. Besides the artificial condition of low prices affecting his prosperity, nature herself seemed to frown upon his enterprise. High water, drought, and the ravages of

¹¹⁰ Niles' Weekly Register, XXII (1821), 120.

¹¹¹ Figures compiled by Gray, History of Agriculture in the Southern United States, II. 1027.

¹¹² American Farmer (Baltimore, 1818-1897), XI (1829), 298.

the caterpillar plagued his crops, and the rot, from which he had been usually free to a greater extent than planters of other sections, fell upon his cotton now with a vengeance. 113

Small wonder, with advice being given to growers as far distant as North Carolina to abandon cotton and take up sugar cane, 114 that the cotton planters of a state in which the latter culture was already flourishing, should turn to it as a means of support. Luckily, the sugar industry had just been given a stimulus which enabled it to afford room for the newcomers. In 1825 a new species of cane, the ribbon, had been introduced by John McQueen of Savannah. 115 The new species was of greater size and height, and was abundantly charged with saccharine juice, but its chief value lay in its adaptability to the climate of the regions farther north in Louisiana, with the result that a much greater field for cultivation was opened to the planter. 116 By 1826 Attakapas planters were said to be daily turning "their attention to sugar," because of the "low price of cotton,"117 and accounts soon began to be heard of the excellent crops being produced in the Highlands. 118 Great expansion was also going forward in the sugar regions of Lafourche, the Gazette of that parish reporting in 1827 that "Upwards of fifty thousand dollars worth of wood lands on the Bayous Caillou, Black, etc., in the vicinity of the La Fourche, have been purchased during the past week by planters in the neighborhood of Natchez, for the purpose of being employed in the cultivation of sugar cane." Moreover, scarcely a week passed "that does not witness the arrival in our village of persons from other parts of the country, on their way into the interior, to examine the country with the view of purchasing and settling therein." Prospects were bright that these "finest sugar lands in the state" would soon be "brought into cultivation by men of enterprise and capital from the cotton growing parts of this and other states."119

This was likewise the period of heightened interest in internal improvements, and the New Orleans Louisiana Courier

¹¹³ Baton Rouge Gazette, October 4, 1828; Rachel O'Connor to Mary Weeks, St. Francisville, Louisiana, September 15, 1828, Weeks Collection (Louisiana State University Archives, Baton Rouge).

114 North Carolina Register, August 19, 1828, quoted in Baton Rouge Gazette, October

<sup>11, 1828.
11, 1828.
115</sup> New Orleans Louisiana Courier, October 12, 1825; Southern Agriculturist (Charleston, 1828-1839; 1841-1846), I (1828), 483.
116 Southern Agriculturist, I (1828), 236; New Orleans Louisiana Courier, October 12, 1825; October 26, 1826.
117 New Orleans Louisiana Courier, November 3, 1826.

 ¹¹⁷ New Orleans Louisiana Courier, November 3, 1826.
 118 Baton Rouge Gazette, December 12, 13, 1828.
 119 Reprinted in the New Orleans Louisiana Courier, April 7, 1827.

attributed interest in these new sections to the researches conducted the summer previously in the Lafourche area by the Board of Internal Improvement. "As long as the cultivation of cotton yielded an immense profit," commented the Courier, "nothing but cotton was thought of." But with the depression which had visited the industry, a new outlet for capital had become imperative, to be found, said the Courier, in sugar cane. An immediate campaign was begun by the editors of the publication to improve navigation facilities between New Orleans and the sugar areas along the Lafourche, the Teche, and the Atchafalaya. The sugar boom, in fact, was spreading rapidly, "new sugar plantations establishing every where on land in which cotton grew, even last year," and the cane was dominating agricultural activity "wherever the climate will permit." 121

In New York it was reported that "the supplies of sugar from New Orleans have already increased to such an amount that they are rapidly taking the place of Foreign Sugars, and it is supposed by many intelligent persons, that in a very few years, the supplies from New Orleans and elsewhere, will be sufficient for the consumption of the United States, and that no foreign sugar will be required."122 By 1829 the Baton Rouge Gazette was able to write, "The culture of Sugar being now universally preferred in this section of the Union, the price of lands will be likely to rise. Considerable sales have been made within these two months, and strangers are daily arriving to examine our neighbouring lands."123 In the Western Monthly Review a Louisianian decided that the old question as to whether cotton or sugar was the more profitable crop had now been answered definitely in favor of the cane. With the cultivation of cotton increasing everywhere else and that of sugar diminishing in the West Indies, it "is an omen for good," he rejoiced, "that Planters all over the State, are turning their attention to this species of culture."124

The story of this mass shift of Louisiana's capital from cotton to sugar is crystallized in the comparison of the crop values of 1820, 1828, and 1829. As already shown, in the first of these years the value of cotton exceeded that of sugar three to one. By

¹²⁰ Ibid.

¹²¹ Ibid., November 30, 1827.

¹²² Reprinted from the New York Daily Advertiser in the Baton Rouge Gazette, November 15, 1828.

¹²³ Ibid., February 14, 1829.

¹²⁴ Quoted in the Southern Agriculturist, I (1828), 337.

1828 sugar and molasses had forged into the lead, being estimated at \$4,899,000 to \$3,040,000 for cotton,¹²⁵ and in 1829 this difference had grown to \$6,069,585 for the cane products as against \$2,044,620 for Louisiana's other great staple.¹²⁶ From 30,000 hogsheads in 1823, the sugar output had jumped to 87,000 in 1828.¹²⁷

By 1829, therefore, Louisiana had definitely committed herself to the culture of cane as her principal staple. From 1827 to 1830, 383 new sugar estates were established; steam power replaced that of the horse on more than 200 plantations at a cost of "no less than \$6000 for each mill and engine." About 15,000 hands were added to the labor of the estates, and a further capital of approximately \$16,000,000 was invested in the industry, money which for the most part had to be borrowed. With so much invested in sugar, it was disquieting for the state to find a lag in the crops immediately following the expansion of the industry, and it was necessary to resort to foreign funds to tide the planters over the recession. Now that the greater part of the state's wealth was invested in cane, it was more imperative than ever that the duty on foreign sugars be maintained.

But events were beginning to take shape outside the state which foreboded little but evil for the planters in this respect. The South was in arms against the "Tariff of Abominations" and was anything but equivocal when expressing its opinion on the sugar duty. "Every man," wrote a contributor to the Southern Review, "who purchases protected sugar to the amount of ten dollars, pays three dollars thirty-seven and a half cents to the sugar-planter." How can one overlook, he demanded, the evident fact that the tariff, "while it imposes a tax upon a great body of the people, provides a bounty for a very small number only, and these the very wealthiest men in the country. . . . The sugar planters are proverbially, and almost exclusively proprietors of very large estates, realizing unprecedented profits." 131 Commenting on the advice of one of its correspondents that the farmers of South Carolina abandon cotton and grow cane, the

126 Ibid., October 17, 1829.

129 [Edmund] J. Forstall, The Agricultural Productions of Louisiana (New Orleans, 1845), 7.

130 Ibid.

¹²⁵ New Orleans Price-Current and Commercial Intelligencer, October 18, 1828.

 ¹²⁷ De Bow's Review (New Orleans, 1846-1864; 1866-1870; 1879-1880), I (1846), 54.
 ¹²⁸ Two early historians of the state, Victor Debouchel, Histoire de la Louisiane (New York, 1841), 136, and E. Bunner, History of Louisiana (New York, 1843), 232, both claim that sugar was Louisiana's most important staple as early as 1816.

¹³¹ Southern Review (Charleston, 1828-1832), II (1828), 592-594.

Southern Agriculturist summed up the prevailing opinion of the South with the solemn warning that "whether we are to live under the oppression of the Tariff or not, and get rid of that and we hope all tariffs, the duty on Sugars ought to fall with the rest. It is evidently one of the most arbitrary and oppressive taxes ever ventured on by any free government." 132

Nor was the South alone in its determination that the sugar tariff should be killed. In July, 1829, Representative Gurley warned that the duty would be in danger at the next session of Congress, and appealed for information which would enable him to fend off the attacks. 133 The North had continually shown itself antagonistic to a price-raising duty on sugar which might be obtained cheaper from the West Indies if the prevailing rates did not exist, as had been repeatedly charged by Robertson and other Louisiana congressmen. But even the sincere protectionists were complaining of Louisiana's tariff stand. The influential Hezekiah Niles pointed out to his readers the unreasonable position the state was clinging to in insisting upon protection for her staple while not willing that it be afforded any other. "There is no business in the United States," he said, "anything like so profitable as the making of sugar, and because of the tariff—yet Louisiana is against the tariff!"134 Again, upon hearing of the expansion of the sugar industry in the state, Niles threatened: "Louisiana, thus benefited by the tariff, will support the 'American System.' If not, she cannot complain if the duty on sugar shall be reduced; and indeed it is very high!"135

Louisiana was certainly under no delusions, then, as to the disposition of other parts of the Union toward the question of the sugar duty. But mere knowledge of the facts could not extricate her from a very delicate situation, and it was becoming more and more clear that the state could not straddle the tariff fence much longer. Her previous policy of denouncing protection in one breath as something unholy and oppressive, and then demanding for sugar in another what was actually protection, call it what she might, had resulted in nothing but alienation of the support of both North and South. To save the sugar duty it was now imperative that the state win the support of one of these sections,

¹⁸² Southern Agriculturist, I (1828), 489.

¹⁸³ Baton Rouge Gazette, August 8, 1829.

¹³⁴ Niles' Weekly Register, XXXII (1827), 241.

¹³⁵ Ibid., 195.

so that together they might withstand the assaults of the other. There was little hope of a compromise with the South; with the northern system of protection, therefore, lay the only solution to the problem.

Appreciation of the seriousness of the situation was widespread. Early in January, 1830, Governor Arnaud Beauvais informed the state legislature that "There are fears that the duties imposed by the United States on foreign sugars will be reduced, and these apprehensions have violently alarmed those of our citizens who have invested in this branch of agriculture." It was advisable, said Beauvais, that immediate representations be made to Congress to demonstrate "the absolute necessity of maintaining those duties for the prosperity of our State."136 Deep concern was also manifest in a reply to Gurley's request for information on the sugar industry, made by the Agricultural Society of Baton Rouge late in 1829: "We cannot conceal from ourselves, nor from you, Sir, this truth: that the repeal of the duty on foreign sugar would be most disastrous to Louisiana." The planters recalled that, one by one, every other crop but cotton and sugar had been abandoned in the state, until "at last even cotton must be forsaken; and yet, Sir, might Louisiana still prosper was she not deprived of the sole hope afforded her by the culture of sugar, but without that resource, in the said Louisiana" only ruin and depression would result.137 The report closed with a striking indication of the trend opinion was taking toward protection:

It is, by no means, our intention to enter into political subjects; examine the right of importations; nor enquire whether in a country like ours, where the only revenue is derived from the customs, we can dispense with them, with advantage to ourselves, or even without danger to the Union. We are sufficiently aware of the salutary effects of the tariff, since it rewards the industry of one of our States, and has been so framed, with respect to the importation of foreign sugars, as to be of advantage to our finances.¹³⁸

Visiting New Orleans in February, 1830, Clay was also quick to notice the growing sympathy for the tariff in Louisiana, and wrote to Senator Johnston:

I have been agreeably surprised to find the opinion in favor of the Tariff so general and so strong in this State.

188 Ibid.

 ¹³⁶ Journal of the House of Representatives of the State of Louisiana, 9 Leg., 2 Sess.,
 6. Cited hereafter as Louisiana House Journal.
 137 Baton Rouge Gazette, December 26, 1829.

You must not be surprised to find yourself shortly instructed by the Legislature to support it. From what I learn, at least two thirds of the Legislature, if not more, are in favor of it; but they have great difficulty in collecting and keeping the members at Donaldsonville. 139

Clay's prediction was not long in being realized. On March 6 the Senate of the state legislature passed unanimously a set of resolutions on the tariff,140 which were concurred in by the House with but seven dissenting votes¹⁴¹ and signed by Acting Governor Jacques Dupré on March 20:

Resolved by the senate and house of representatives of the State of Louisiana, in general assembly convened, That the general assembly of this state do not concur in the views and sentiments expressed by the resolutions of the state of Mississippi, relative to the tariff of 1828; and that the legislature of this state, does not perceive any unconstitutionality in adopting such measures.

Resolved. That we highly approve of the resolutions of the state of Vermont, by which they have declared the law of 1828, on the tariff, to be constitutional, expedient, and harmless to the southern states, or any other of our sister states.

Resolved, That our senators in Congress be instructed, and our representatives requested, to accede to and support such measures as those that are contemplated by the law of 1828, on the tariff.142

This acceptance of protection, and of protection as manifest in the "Tariff of Abominations," would indicate a strong influence of public opinion upon the decision of the legislature, since that body was considered as being composed of a majority of Jackson men, 143 who had been sufficiently strong in 1829 to name Livingston to the national Senate over Bouligny. 144 At any rate, Clay seems to have been satisfied that a victory was won, for a few days after the passage of the resolutions by the Senate, he again wrote Johnston:

You will perceive from the inclosed, that my anticipation has been realized. You will now be at liberty to pursue your own judgment in relation to the great measure referred to. On that subject two grounds will naturally suggest themselves to you, as forming a justification for your future

¹³⁹ Clay to Josiah S. Johnston, New Orleans, February 27, 1830, in Calvin Colton (ed.), The Private Correspondence of Henry Clay (New York, 1856), 254-255. The capital had been moved from New Orleans to Donaldsonville early in 1830.

140 Louisiana Senate Journal, 9 Leg., 2 Sess., 55.

141 Louisiana House Journal, 9 Leg., 2 Sess., 104-105.

142 Acts of Louisiana, 9 Leg., 2 Sess., 70.

143 Norton, "Whig Party in Louisiana," 62.

¹⁴⁴ Ibid., 65.

course: 1st, the will of your constituents; and secondly, that you will not assist in disturbing an established policy.145

The course taken by the legislature was to be given a vote of confidence by the people of the state when they went to the polls in July to choose a successor to the deceased Derbigny. Public interest in the tariff controversy had reached such a pitch that protection became one of the most important and hotly debated issues of the campaign. William S. Hamilton and David Randall were backed by Jackson supporters, Hamilton being praised by one newspaper for his "hostility to that awful system of taxation called the tariff, which is grinding to the dust the southern, for the benefit of the northern and interior States."146 The Democratic Republicans loudly proclaimed that so far "as principle is involved in the ensuing election, the question is whether Louisiana will give her weight to that awful scheme of taxation, or take the side of agriculture and free trade."147

The result was a landslide for the National Republicans. Although they too had supported two candidates, Beauvais and A. B. Roman, the Clay men not only swept Roman to the governorship, but were able to win all three congressional seats and a majority in the legislature.148 The exultant Niles reported: "A large majority in the legislature are friends of Mr. Clay. The protective policy was a leading subject discussed at this election and the governor, state legislature and all the members of congress, are decided supporters of it."149

Striking evidence of the opposing political allegiances of the sugar and nonsugar parishes was as evident as it had been in 1828. Only three of the eighteen divisions producing sugar in 1830 gave a majority to the Democratic Republicans and one of these three, Rapides, was so dominantly cotton that it may be considered as simply acting in conformity with its type. Of the twelve nonsugar producing parishes, only three gave a majority to the National Republican party, and once more the cotton area of north Louisiana gave unfailing proof of its adherence to the Jacksonian faction.

Thus, fourteen years after Robertson's memorable speech in the House, and but six since Brent had said, "Louisiana will

¹⁴⁵ Clay to Johnston, Baton Rouge, March 11, 1830, in Colton (ed.), Private Correspondence of Henry Clay, 255.

146 New Orleans Louisiana Advertiser, July 2, 1830.

147 Ibid.

148 Ibid., July 21, 1830.

149 Niles' Weekly Register, XXXVIII (1830), 419.

not vote on any arrangement or compromise—she goes on principle," that state was no longer an advocate of the same principle for which those men had fought. Cotton had given way to sugar; and with sugar had come adherence to protectionism. For better or for worse Louisiana in 1830 was pledged to support a system which was soon to become wormwood to her southern neighbors and cause a chronic disorder in the body politic.

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| ELECTION OF 1830 | | | | | |
|------------------|-------|----------|----------|---------|---------------|
| PARISH | Roman | Beauvais | Hamilton | Randall | Sugar in 1829 |
| Orleans | . 587 | 460 | 191 | 3 | 1035 hhds. |
| St. Bernard | . 63 | 92 | 1 | 0 | 3517 |
| Plaquemines | . 112 | 8 | 4 | 0 | 3899 |
| Jefferson | . 75 | 5 | 10 | 0 | 4830 |
| St. Charles | . 49 | 45 | 0 | 0 | 6537 |
| St. John | . 137 | 58 | 0 | 0 | 4405 |
| St. James | . 231 | 60 | 4 | 25 | 5181 |
| Ascension | . 21 | 19 | 4 | 133 | 3552 |
| Iberville | 130 | 99 | 30 | 9 | 2626 |
| W. Baton Rouge | . 95 | 61 | 12 | 0 | 1750 |
| St. Mary | . 151 | 2 | 61 | 0 | 3240 |
| St. Tammany | | 6 | 47 | 0 | · · · · · |
| E. Baton Rouge. | | 17 | 219 | 0 | 599 |
| Assumption | 139 | 0 | 0 | 174 | |
| Lafourche Int | 281 | 0 | 0 | 80 7 | |
| Terrebonne | 80 | 0 | 0 | 20 | 2094 |
| W. Feliciana | 64 | 17 | 194 | 7 | |
| Pointe Coupée | 9 | 144 | 17 | 0 | 635 |
| St. Helena | 100 | 0 | 219 | 0 | |
| Washington | . 81 | 0 | 179 | 2 | |
| E. Feliciana | 23 | 8 | 394 | 12 | |
| St. Landry | 273 | 32 | 164 | 60 | 229 |
| Lafayette | | 56 | 77 | 0 | 434 |
| St. Martin | | 165 | 31 | 0 | 1486 |
| Avoyelles | 94 | 100 | 28 | 0 | |
| Concordia | | 1 | 72 | 0 | |
| Catahoula | | 10 | 153 | 0 | |
| Natchitoches | 192 | 12 | 185 | 0 | |
| Ouachita | 35 | 0 | 186 | 0 | delete delete |
| Rapides | 87 | 1 | 186 | 0 | 83 |
| | | | | | |
| TOTALS | 3638 | 1478 | 2701 | 463 | |

¹⁵⁰ Election returns are taken from the New Orleans Louisiana Advertiser, July 21, 1830. Crop figures are derived from the report of Degelos in the Louisiana Planter and Sugar Manufacturer, IX (1892), 68.

CHAPTER II

THE TARIFF OF 1832 AND NULLIFICATION

To most observers it must have seemed that Louisiana had played her cards well in 1830 when the prospects of attack upon the sugar duty had impelled her to embrace protection in an attempt to win northern support for the maintenance of favorable tariff rates upon her principal commodity. For it soon became evident that the sounds which had disturbed the tranquility of the Louisiana planters were more than just rumblings of a distant drum, and the shadows at which they had shied fast took on a more solid substance.

In accordance with a resolution passed in the House of Representatives on January 25, 1830, Secretary of the Treasury Samuel D. Ingham had begun soon after to request detailed information on the sugar industry of the United States, including data on the types of cane grown, the best methods of cultivation, the average quantity of sugar made from an acre of land, and the estimated expense of manufacturing a given quantity of the product and placing it on the market.2 Neither the tone of these requests nor the tenor of the resolution which had given them birth seemed to hide any insidious hostility to the sugar duty. Joseph M. White of Florida had stated as the plausible reason for his motion the desire to discover if other states might not profitably grow cane in place of the depression-ridden cotton.3

In the eyes of certain planters of Louisiana, however, the apparently innocent activities of Ingham augured nothing but trouble for the sugar interests of that state, and in August, 1830, John Slidell was writing J. C. de St. Romes, editor of the New Orleans Louisiana Courier:

there is good reason to fear that the call was made with no friendly feelings toward this our most important industry, and that if correct information on the subject be not afforded by our planters, a successful attempt will be made at the next session of Congress to take off a portion of the present duty on imported Sugar.4

Commenting on Slidell's warning, a correspondent to the Courier confirmed the planters' suspicion of Ingham, and justified it by

¹ Congressional Debates, 21 Cong., 1 Sess., 554-555. ² House Document, No. 62, 21 Cong., 2 Sess., 3. ³ Congressional Debates, 21 Cong., 1 Sess., 554-555. ⁴ New Orleans Louisiana Courier, August 17, 1830.

the "jealousy and ill will . . . endeavoring on all sides to arrest the progress of the active industry of our Planters." Nor were Louisianians the only ones to envision the imminence of the attack which had been so long feared. In declining an invitation to appear before certain Baton Rouge citizens desirous of honoring the father of the American System, Henry Clay wrote his admirers that he observed

with peculiar pleasure, the expression contained in your note of approbation of that system, the preservation of which in all its essential parts, is indispensable to the prosperity of the Union, and of Louisiana especially. No other basis of security exists but that which is to be found in the principle of protection against rival foreign productions. Placed on the ground of revenue, it would be admitted that the duty [on sugar] might be reduced, or altogether repealed whenever it was not required by the wants of revenue, as may shortly happen.6

Even more portentous than the information canvass of Ingham, however, were events taking shape in the very body from which trouble might be expected—Congress. The southern states, determined that some relief must be afforded them from the "Tariff of Abominations," found their spokesman in Representative George McDuffie of South Carolina, who early in 1830 introduced into the House a bill from the Committee of Ways and Means providing for a reduction of duties on such articles as iron, hemp, flax, cotton bagging, salt, cotton cloths, and woolens.7 Although the bill was swiftly tabled, it succeeded in getting underway another series of attacks on the protective system. Whatever his purpose, McDuffie had failed to include in the bill any specific reduction on sugar, an omission which assumed importance in the light of subsequent developments. Again in April, when he proposed to facilitate the collection of duties by reducing the tariff, his bill, although practically proposing the repeal of the acts of 1824 and 1828, made no mention of the sugar duty,8 and this despite the fact that the occasion marked the first presentation of his all-inclusive argument against protection—that import duties were really nothing more than taxes on exports exchanged for foreign goods, exports which for the most part came from the South.9

<sup>Ibid., September 1, 1830.
Baton Rouge Gazette, March 6, 1830.
Congressional Debates, 21 Cong., 1 Sess., 555-556.</sup>

⁸ Ibid., 819-820. ⁹ Ibid., 843-850.

This inconsistency, intentional or otherwise, was too glaring to be long overlooked by the protectionists. Edward Everett of Massachusetts, in a spirited defence of the tariff system on May 8. ridiculed the assertions of Southerners that their section was burdened by a tariff which heaped nothing but benefits upon the North. Indeed, he claimed, one effect of the tariff had been "more beneficial to the planting States, than all the other provisions of the laws have to the manufacturing States." By the protection afforded to Louisiana sugar, Everett claimed, that state furnished an ever growing market for Negro slaves, the value of which, but for this outlet, would have been steadily on the decline. According to his estimates, "the labor of the South, now amounting to a moneyed capital of four hundred millions, would not, but for this circumstance, be worth more than two hundred millions."10 Of the annual \$8,000,000 income from Louisiana sugars, he continued, the West received \$1,500,000 for food and machinery: the North claimed \$1,000,000 for clothing and miscellanies; while the South took \$3,000,000 for her slaves, with a strong indication that these conditions would become even more favorable as Louisiana expanded her industry. It was not difficult to divine what was coming next:

I pretend not to assign the motives of the gentleman from South Carolina, in leaving untouched the duty on foreign sugars, while he proposes to remove almost every duty which protects the industry of the middle and northern States. I do not blame him for retaining a duty which is of vital importance to the southern country. But, on the same principle on which he is willing to retain the duty on sugar, he must allow me to vote against the repeal of those parts of the law which he desires to abrogate, but which are important to my constituents. Shall he except from a sweeping repeal of the laws, the single feature of it, which is so signally beneficial to the planting interest, that it has attached one entire planting state to the protective system?¹¹

Tristram Burges of Rhode Island also cited Louisiana as a refutation of the position maintained by the southern states, suggesting that if the tariff could be so beneficial to one of their

¹¹ Congressional Debates, 21 Cong., 1 Sess., 906.

¹⁰ Ibid., 906. There was much recognized truth in this argument of Everett. A visitor to South Carolina in 1829 reported "that the prejudices of the people of that state against the tariff, have considerably subsided since it has been found beneficial in its results, even there, where it was so much deprecated; . . . in consequence of the protection given to the sugars of Florida and Louisiana, the demand for negroes in South Carolina has become very great and their prices much enhanced." Philadelphia National Gazette, July 27, 1829. Emanating from a strong protectionist publication, however, this report may have been more protariff propaganda than an actual representation of true opinion in South Carolina.

number, might not South Carolina's plight lie in an infertile soil rather than in the American System?¹² Moreover, he pointed out, Louisiana could not withstand a reduction of the sugar duty, logically involved in the application of McDuffie's tariff plan; and since the prosperity of that state was of such vital import to the slaveholders of the South, more states than one would feel the effect of any repeal of the sugar tariff.¹³

Even when the southern men tried a new tack in their antiprotection campaign by reporting from the Committee on Commerce a bill designed to inaugurate reciprocal trade agreements with foreign countries,¹⁴ they found themselves face to face with difficulties springing from the Louisiana sugar industry. Benjamin Gorham of Massachusetts offered immediate objections to the bill. Aside from giving too much power to the executive, he claimed, it would be ruinous to the Louisiana planters, who were now protected by a 3 cent duty, equivalent to a 50 per cent ad valorem rate, whereas reciprocity would yield a protection of no more than 30 per cent.¹⁵

If the sugar duty had been overlooked by McDuffie and the antitariff men earlier, by now it must have seemed to them to be lurking in the clause of every bill, waiting to reveal itself at any time to aid the protectionists as a strong argument against tariff reduction. It was not long, therefore, before the southern guns began to be trained upon this ubiquitous and annoying phenomenon. On May 10 Thomas T. Bouldin of Virginia rose in opposition to an assertion "so extraordinary" that he could not allow it to pass unnoticed. Burges, he said, had declared that sugar was the only commodity whose price was buoyed by the tariff and kept above the level to which it would fall if the duty were removed. It would seem, Bouldin maintained, that the truth of such an assertion would undermine the protectionist doctrine that the tariff actually lowered the price of both the foreign and domestic articles. Obviously, then, Burges had made the distinction merely for the reason that sugar was a southern interest, and because unless it was evident that the tariff raised the price of the commodity, the supposed boon to the slaveholders of the South would be a delusion. Moreover, Bouldin continued, that

¹² Ibid., 929.

¹³ Ibid., 938-939.

¹⁴ Ibid., 863.

¹⁸ Ibid., 866.

so-called benefit was the product of protectionist imagination, because unless the productive value of the slave increased, his intrinsic value made little difference to the planters unless they were forced by misfortune to sell their slaves and abandon agriculture.¹⁶

The most ominous allusion to the sugar duty by an antiprotectionist, however, came not from a Southerner but from a New Yorker, Churchill C. Cambreleng, who in defending the proposed reciprocity system denied that any harm might result to the Louisiana interests, and in assumed sibylline capacity proclaimed:

We have, during the present session, reduced the duty on coffee to one cent, a rate far below the maximum of thirty per cent.; and before any arrangements could be made with Brazil or any other country, that gentleman [Gorham] may be assured the duty on brown sugar will not exceed a rate equivalent to thirty per cent. ad valorem. This is a matter which the consumers of this country will regulate for themselves. We may, in this House, have what understanding we please; but the authority of those whom we represent, will inevitably overthrow all political plans, whether for the preservation of party, or the protection of capital. The tax on brown sugar is one of those heavy burdens from which the country must be partially relieved, and it will require no inconsiderable effort to prevent the duty from being too much reduced. The time is near at hand when Congress will be called upon to adjust a permanent rate of duty, in which the interests of the planters and consumers must and will be mutually consulted. A higher tax than one equivalent to thirty per cent. ad valorem, ought not to be calculated upon by the planters of Louisiana.¹⁷

Despite these ebullitions of the antitariff men, the McDuffie bill¹⁸ and the reciprocal trade proposal¹⁹ were easily downed by the protectionist forces, Louisiana's representatives voting against the measures. The sugar duty, indeed the whole tariff, had thus escaped unscathed in the first session of the Twenty-First Congress. It was evident, however, that the continual employment by the protectionist forces of the sugar duty as a sabot in the functioning of the antitariff machine had been practically

¹⁶ Ibid., 944. Bouldin failed to consider, however, the value of those slaves, who, through natural increase, became a surplus in the possession of the planter.

¹⁷ Ibid., 990.

¹⁸ Ibid., 964.

¹⁹ Ibid., 993.

a challenge to the Southerners and their allies to eliminate the duty as one of the strongholds of the opposition and demonstrate the falsity of tariff doctrine. From the words of such as Cambreleng, it was also plain that the antiprotectionists had taken up the gage and were marshalling their forces for concerted action when the second session convened in December.

It was no surprise move, therefore, when early in the renewed congressional sitting in December, 1830, Daniel L. Barringer of North Carolina submitted a resolution to call a bill from the Committee of Ways and Means reducing duties on articles such as iron, cotton bagging, and coarse woolens. A reduction of 1 cent a pound in the sugar duty was specifically requested. Although the proposal was easily defeated, a similar motion was made a few weeks later by James Trezvant of Virginia, who injected into the debate the argument that since the public debt was soon to be paid in full, the existing tariff was pouring unnecessary revenues into the Federal treasury. 21

The day after Trezvant's proposal had gone the way of its predecessor, Charles E. Haynes of Georgia unleashed the longexpected attack which antitariff men hoped to see end in realization of the prophecy voiced by Cambreleng during the previous session. In a lengthy resolution Haynes condemned the sugar duty as contrary to the principles of republican government, a tax on a necessary of life, draining the pockets of the poorer classes to fill those of the wealthy Louisiana planters.22 Within a few years, the resolution read, the public debt was to be discharged. Revenue from the sugar duty would consequently never be missed, especially since those duties, amounting to \$1,434,961, were only one half as great as the bounty of \$3,000,000 paid to Louisiana sugar planters by the rest of the nation.²³ The resolution concluded by calling for the Committee of Ways and Means to "inquire into the expediency of reducing the duties on brown sugars imported into the United States from Foreign countries."

In an attempt to kill the motion immediately, Lewis Condict of New Jersey called for the ayes and nays on its consideration.

²⁰ Ibid., 2 Sess., 358-359.

²¹ Ibid., 449-450.

²² Ibid., 455.

²³ Ibid. Haynes arrived at his "bounty" figure by applying the 3 cent duty to the 100,000,000 pounds of sugar grown in Louisiana, at the same time considering the levy as nothing but an extra charge added to the true price of the commodity. The Louisiana planters, however, insisted that the actual cost of producing a pound of sugar selling in the market at 5 cents, was 3½ cents. See House Document, No. 62, 21 Cong., 2 Sess., 7.

The resulting vote revealed that not only were the southern states, Kentucky excepted, united against the sugar interest, but some sections of the North and East, especially those in which commerce was important, had not been won over to protection of the Louisiana staple. The voting by states showed:

| North | Aye | Nay. | South | Aye | Nay |
|---------------|-----|------|----------------|-----|-----|
| Connecticut | 0 | 5 | Alabama | 3 | 0 |
| Delaware | 0 | 1 | Georgia | 7 | 0 |
| Illinois | 0 | 1 | Kentucky | 2 | 8 |
| Indiana | 2 | 1 | Louisiana | 0 | 3 |
| Maine | 4 | 2 | Maryland | 4 | 1 |
| New Hampshire | 6 | 0 | Mississippi | 1 | 0 |
| New Jersey | 0 | 5 | North Carolina | 12 | 0 |
| Ohio | 0 | 11 | Tennessee | 8 | 0 |
| New York | 14 | 13 | Virginia | 17 | 1 |
| Pennsylvania | 0 | 18 | South Carolina | | 0 |
| Vermont | 0 | 4 | | | |
| Rhode Island | 0 | 2 | | | |
| Massachusetts | 0 | 9 | | | |
| | _ | | | _ | - |
| Totals | 26 | 72 | Totals | 63 | 13 |

By the close vote of 89 to 85 the House therefore agreed to consider Haynes' resolution.²⁴ In the course of the lengthy speech which followed, Haynes attempted to show that when the duty had first been levied in 1789, the price of the commodity had been no less than 8 or 10 cents a pound, and the real intention of Congress, therefore, had been to lay a tax no more than 20 per cent ad valorem on the original cost. But, not only had the cost of sugar fallen in the past few years, Congress had actually raised the tariff rates in 1816 until the ad valorem duty had now climbed to "not less than one hundred per cent."²⁵ That the drop in price could be attributed to the competition of the Louisiana sugar industry was denied by Haynes, because the price had fallen in England as well, and Louisiana's production was too small to affect the world market.²⁶ The duty was also blamed for

²⁴ Congressional Debates, 21 Cong., 2 Sess., 456. The Democratic Republican antitariff men of Louisiana were later to charge that the protectionists had betrayed the sugar planters by voting for consideration of Haynes' resolution.
²⁵ Ibid., 457.

²⁶ Ibid., 458-459.

an appreciable proportion of the lag in commerce in the north-eastern states.²⁷

The climax of Haynes' exposition was reached with his attempt to show that the sugar industry was so profitable that a reduction in the tariff would by no means ruin the planters, whose "enormous profits" might well bear some sacrifice, "when we consider the languishing condition of other agricultural pursuits." According to Haynes' estimate,²⁸ the expense of a planter entering the Louisiana sugar industry would average:²⁹

| 60 slaves at \$300 | \$18,000 |
|--------------------|----------|
| 500 acres at \$10 | 5,000 |
| Equipment | 23,000 |
| Miscellaneous | 4,000 |
| | \$50,000 |

Cultivation of 300 acres, each one producing 1,250 pounds of sugar, would yield:

| 375,000 lbs. of sugar at 5¢ | \$18,750 |
|-----------------------------------|----------|
| 25,000 gals. of molasses at 15¢ | 3,780 |
| | \$22,530 |
| Minus \$3,000 for yearly expenses | 3,000 |
| | \$19.530 |

From these figures Haynes calculated the return on capital invested to be 39 per cent, and although his estimates were admittedly general, it was clear, he said, that the average profit fell somewhere between 39 and 16 per cent. What other type of agriculturist realized even one third of this return, he demanded.³⁰ If the sugar industry could make such great profits and still not be able to withstand a reduction in tariff rates, then it were better that the culture be abandoned. Although Georgia, which also grew some sugar cane, might be considered by some,

²⁷ Ibid., 460.

²⁸ Ibid., 462.

²⁶ The figures used here by Haynes were also cited by many other antiprotectionists in their arguments against the sugar duty, and were roundly criticized by the Louisiana planters and their supporters. The Washington National Intelligencer, speaking of the \$1.0 an acre price at which lands were supposed to sell in Louisiana, claimed, "This would make us smile if it did not provoke contempt." Quoted in Baton Rouge Gazette, March 24, 1832. The planters themselves placed the price of land at \$50 an acre and of slaves at \$600 a hand. See House Document, No. 62, 21 Cong., 2 Sess., 28, 65.

³⁰ The Louisiana planters claimed a return of no more than 5 to 7 per cent on their investment, and pointed out that the usual rate of interest on borrowed money in the state was 10 per cent, which had to be paid by many planters who had needed capital to enter the industry. See *House Document*, No. 62, 21 Cong., 2 Sess., 64.

Haynes said, as having an interest in keeping the duty intact, his state, "as she had gone into the revolutionary contest in defence of principle, was ready to maintain it now." Haynes was supported in his resolution by Mark Alexander of Virginia, who presented the rather remarkable and certainly unique argument that the abolition of the sugar duty would be an excellent opportunity for the United States to show her amicable disposition toward England by removing obstacles to West Indies trade. 32

The task of refuting the charges made against Louisiana's chief staple fell to Edward Douglas White of that state, who, buttressed with the information just released in Ingham's report on the sugar industry, found little trouble in disposing of Haynes' damaging figures. In the first place, White maintained, Louisiana had taken no part in causing the tariff to be levied, since it was practically as old as the Federal government itself. Moreover, the tariffs of 1824 and 1828, opposed by Louisiana, had added not a single penny to the sugar duties, and since it was those two acts the antiprotectionists always decried, the sugar duty should escape their enmity. Louisiana, White added, had entered its particular industry because of inducements held out by the promise of continued tariff protection. To violate this "national faith, tacitly plighted," would be to "repudiate all ideas of faith in a Government likes ours."33 The experiment of the American System had been tried before the eyes of Louisiana and had been seen to succeed. Why then, he demanded, should the state refuse to support protection?

In reply to Haynes' figures on the "enormous profits" of the Louisiana sugar planter, White merely quoted from Ingham's report to show that the usual return on investments was no more than 7 per cent, and asked to be informed why, if \$50,000 in Louisiana would yield a profit of \$20,000 in a single year, idle capital did not come pouring in from outside states to multiply itself.³⁴ To Haynes' contention that the Louisiana sugar crop was too small to lower the price of the commodity, White answered by pointing out that whenever Louisiana crops were below average, as in 1829, the price of sugar jumped in the United States, and when, as in 1828, those crops were large,

³¹ Congressional Debates, 21 Cong., 2 Sess., 464.

³² Ibid., 465.

³³ Ibid., 797.

³⁴ Ibid., 800.

the price correspondingly fell.³⁵ The usual argument that Louisiana furnished a market for goods from every section of the country, while she provided a necessity of life at prices which were ever decreasing was repeated by the Louisiana representative, who added a note of humor in his comment upon Haynes' complaint that as the price of sugar dropped the ad valorem duty grew:

And if there be any argument in this perambular proposition, it must be the most inconvenient one in the world; seeing that the more we lower the price, the more we strengthen the argument against us; insomuch that by the time we give him sugar for nothing, (as we seem likely soon to do, if we keep on in the same way,) the argument will be perfectly irresistible.³⁶

Haynes' resolution failed to reach a vote, passing to a natural death when Congress adjourned a few days after White's defensive campaign. In the Senate, meanwhile, a similar attack had been opened by Bedford Brown of North Carolina, whose resolution calling for a bill to reduce the sugar tariff was sent to the Committee on Manufactures at the suggestion of Senator Johnston.³⁷ In refusing to recognize the resolution a few days later, the committee reported not only that Secretary Ingham's report to the House had clearly shown the necessity of the duty remaining untouched, but that they considered the tariff of 1816 as having virtually pledged the nation's word that continued support would be given to a staple which was now "one of the most important products of agriculture and manufacture which this country can boast of." Finally, the committee classified Brown's resolution as primarily concerned with a matter of revenue and therefore beyond the original legislative power of the Senate.38

Outside the halls of Congress the sugar duty was meeting with just as severe condemnation and hostility. The national Free Trade Convention held in Philadelphia in the fall of 1831 contended that cultivation of cane in Louisiana was forced, realized a bare margin of profit, and was entirely unlikely to cause a decrease in the price of sugar, because a "reduction in the

³⁵ An even more comprehensive rebuttal of Haynes' position on this question was made by the *National Intelligencer*, which not only claimed that Louisiana crops had a definite infuence on price in the United States, but maintained that this influence was felt in the world market. Quoted in Baton Rouge *Gazette*, April 14, 1832.

³⁶ Congressional Debates, 21 Cong., 2 Sess., 811.

³⁷ Ibid., 102.

as Ibid., appendix, lxxii--lxxiii.

cost of production" was impossible in the state. The pressing question, said the antitariff men, was

whether, when this high duty is no longer wanted for the purpose of revenue, a tax amounting to one hundred per cent. on the value, and, in the whole, to more than two millions of dollars, on an article of food, which, as a necessary of life stands next to bread and meat, shall be laid in perpetuity on the people of the United States, in order to render the labor of twenty thousand slaves more profitable to their owners, than if applied to some other species of cultivation.

It was realized and regretted, said the free trade advocates, that reduction of the duty would be "ruinous to those who have made investments in lands and slaves." But, they continued,

that is the whole extent of the evil. It bears no comparison with the national loss paid by the consumer, which a continuation of the duty would perpetuate. It would in this, as in many other cases, be much cheaper to indemnify the parties interested, than to persevere in fostering a branch of industry, in the prosecution of which, to use the expression of the planters in their reply to Ingham's circular, they are "warring against nature." ³⁹

A similar line of attack was followed by the Boston Daily Advertiser. The frequent claim of the sugar planters that they were forced to battle against all sorts of obstacles and at a low rate of return gave self-admitted proof, said the publication, that "the business is not worth pursuing, considering either the interest of the planter, or that of the public." Even with protection, it was pointed out, the planters could make only 5 per cent profit, and if the repeal of the duty would ruin them, it was obvious that the consumer was paying to support the nabobs of Louisiana. Finally, there was a flat denial that any pledge had been given to maintain the sugar tariff for the benefit of the planter. Did not these very men, asked the editors, shout to the heavens that the duty had been levied for revenue only?40

In Louisiana, meanwhile, concern over these manifestations of hostility to the sugar tariff became widespread and intensive. Thoroughly alarmed planters lost no time in replying to the circular of Secretary Ingham and impressing upon him that "fatal consequences would ensue" if the slightest reduction in the duty was made by the government.⁴¹ Senator Johnson likewise

³⁹ Senate Document, No. 55, 22 Cong., 1 Sess., 48-49.

⁴⁰ Quoted in the American Farmer, XIII (1831), 270-271. ⁴¹ House Document, No. 62, 21 Cong., 2 Sess., 3-37.

dispatched a lengthy letter to the Secretary in an attempt to prove that the sugar duty was indispensable to the prosperity of Louisiana.42 Meetings were held in various sections of the state to devise some bulwark against the expected onslaught of the antitariff forces, and pamphlets and petitions in defence of the sugar duty began to appear in rapid order. Planters convened in Plaquemines and St. Martin parishes late in 1830 to consider means of dissipating "the erroneous impressions which have been spread throughout several States about the nature and results of that cultivation [sugar], to fix public opinion in that respect, and thereby prevent the abolition of the duty on foreign Sugars."43

Slidell dispatched a memorial to Congress late in the same year, pleading for that body not to renounce the "pledge" given by the United States to Louisiana in 1816. He admitted that it "was doubtless with truth" that the South was complaining of "the distress which pervades their once flourishing and affluent population." But, he asked, is not the South, in laying the blame to the tariff, overlooking a very important factor—"the overproduction of their great staple, cotton, and the consequent lowness of its price?" This line of argument led him to one of the earliest pronouncements of a doctrine which was to become a favorite point in Louisiana's defence of the sugar duty: if the sugar industry were ruined, Slidell warned, Louisiana planters would turn their energies to cotton, flood the already overcrowded market with additional bales, and add even more misfortune to the lot of the southern agriculturists.44

Similar exhortations for continuance of the "long established order of things" were directed toward Congress in a memorial from the people of New Orleans late in 1830,45 and lengthier and more impassioned defences of the tariff proceeded from the pens of pamphleteers, one of whom aptly summed up the question which seemed uppermost in the minds of the Louisianians of that day—"We demand again: can Congress which is the family assembly of all the twenty-four States, equal in rights, proscribe directly or indirectly the principal culture, that is to say almost the unique culture of one of these States, and annihilate by a single blow its actual existence as well as its future?"46

 ⁴² Ibid., 49-58.
 ⁴³ New Orleans Louisiana Courier, September 16, October 14, 1830; New Orleans Bee, October 14, 1830.

⁴⁴ Reprinted in the New Orleans Louisiana Courier, June 13, 1843.
45 New Orleans Louisiana Advertiser, December 21, 1830.
46 Remarques Sur la Culture de la Canne a Sucre, a la Louisiane, et Sur la Diminution des Droits Sur les Sucres Etrangers (New Orleans, 1831), 8.

Senator Johnston was writing at length in an attempt to proselytize dubious New Yorkers to the cause of the sugar tariff, and wondering publicly why the staple of his state had been severed from the "general system" and "selected for some reason, not yet explained to the people, for sacrifice." Such was the uneasiness of Louisiana at the time, that Clay, visiting New Orleans early in 1831, wrote:

I found, on my arrival in this State, a general alarm pervading it in respect to the attack meditated on the Tariff, and which had actually commenced in the House of Representatives. The people of Louisiana, an excellent race, and greatly attached to the Union, contemplate the success of that attack as involving their utter ruin. . . .

I must confess that they have made a convert of me, and have fully convinced me of two propositions: 1st, That the repeal or reduction of the present duty on foreign sugar would totally disable them from continuing the culture of the cane; and 2nd, That all parts of the Union would partake of the distress which would be certainly inflicted on them.⁴⁸

The disturbed state of mind of the Louisianians reflected itself, quite naturally, in numerous comments in the public press. Revealing the exasperation felt by most planters at the epithet which was so often applied to them by antitariff orators, one writer confessed that the "nabobs of Louisiana" would gladly give 45 per cent of their supposed 60 per cent profits if those who attacked the duty would only explain how such prodigious returns were to be realized. There "are no nabobs in Louisiana, and . . . the richest sugar planter is nothing," it was insisted, "but a mere citizen." Other letters suggested prohibition of the slave trade into Louisiana as a blow at those states which profited by the sale of Negroes to the sugar industry, yet voted for repeal of the duty which fostered that industry. The publications themselves sprang to the defence of the sugar planters, National Republican organs such as the New Orleans Argus

to an Article on the Expediency of Reducing the Duty on Sugar . . . (n.p., n.d.).

8. Johnston also repeated Slidell's point concerning the surplus cotton Louisiana lands would pour into the market if the sugar industry were ruined, and stressed the alarm which hostility to the duty was exciting in Louisiana. "Even the discussion of the subject, or an essay in a leading paper, agitates the public mind," he wrote, "and produces consequences very much to be deprecated." Johnston also warned that weakening the protective system at any point would likewise tend to undermine the protection given to New York manufactures. A printed copy of this letter, dated Washington, February 20, 1831, is in the library of the Louisiana State University.

New Orleans, February 16, 1831, in Colton (ed.) Private Core

⁴⁰ New Orleans Louisiana Courier, September 27, 1830. 50 Ibid., January 13, 22, 1831.

coming out in full acceptance of the protective system as a whole.⁵¹ Even the antitariff Democratic Republican papers rallied to the support of the sugar duty, without condoning protection as a general governmental policy.⁵² and the Louisiana press presented a united front on the usual well defined tenets of the state's attitude toward the impost on its staple: that it helped reduce the price of the commodity,53 and that prostration of the sugar industry would not only place the United States at the mercy of the West Indies capitalists,54 but also result in a switch by Louisiana planters to cotton.55

Mooted about at assemblies, in the press, and by the man in the street, the new developments in the tariff issue were not long in receiving the official notice of the state government. In his message to the legislature in January, 1831, Acting Governor Dupré suggested that since such a decided inclination had been demonstrated during the last session of Congress "to make a radical change in the tariff," and as "the protection afforded to the manufacture of sugar appeared to be obnoxious, in an especial degree, to the anti-tariff members of that assembly," it would perhaps be wise for the state to inform the national legislature of "the injustice of such a measure" as had been urged within its walls.⁵⁶ Ruin and bankruptcy would inevitably result in Louisiana from any such legislation, Dupré warned, but the state would not suffer alone. As a purchaser of great amounts of the commodities of other states-slaves to the amount of \$2,500,000 annually, principally from Maryland and Virginia; Negro clothing, steam engines and machinery from the East; horses, cattle, beef, pork, and corn from the West-Louisiana was too important a market to be lost to these sections without grave results ensuing to their prosperity.57

The concern with which Dupré looked upon the "existing circumstances" was made clear by his advice to the legislators that they take action "to ward off the impending blow," or at least "devise some means of weakening its effects and ameliorating the condition" in which Louisiana would be placed if it fell. He

⁵¹ Quoted in Niles' Weekly Register, XXXIX (1830), 271.
52 E.g., New Orleans Louisiana Courier, November 27, December 3, 1830; January 27, 1831; New Orleans Louisiana Advertiser, January 6, 1831.
53 New Orleans Mercantile Advertiser, September 1, 1831.
54 St. Martinsville Attakapas Gazette, as reported in Baton Rouge Gazette, February 26, 1831; New Orleans Louisiana Courier, January 27, 1831.
55 New Orleans Mercantile Advertiser, September 10, 1831.
56 Louisiana House Journal, 10 Leg., 1 Sess., 9-10.
57 Ibid

⁵⁷ Ibid.

suggested that the public be warned against all further investments or the incurring of any additional debts in the pursuance of an industry "liable to so fatal a vicissitude," and urged that the future importation of slaves into the state be prohibited as a step in this direction.58

Acting upon the appeal of Dupré, the two houses passed a joint resolution calling for a committee to be "appointed to draft a memorial and remonstrance to the government of the United States, against the repeal, in whole or in part, of the duties on foreign brown sugars imported into the United States."59 There seems to have been some delay in formulating the petition, however, and when the legislature convened in extra session in November, Governor Roman reiterated his predecessor's call for remonstrances to Congress. 60 The memorial drafted by James Porter and the special committee for the previous session was now sent on its way to Washington, containing little, however, which the numerous advocates of the sugar duty had not expounded innumerable times in the past.61

Interest in the impost was not confined to the Bayou State by any means. In an address before the Hamilton County Agricultural Society of Ohio, General William Henry Harrison echoed a familiar Louisiana sentiment by reminding his listeners that the great market for western goods which was afforded by the industry of Louisiana would be jeopardized by removal of the sugar duty.62 The convention of "Friends of Domestic Industry" which met in New York in October, 1831, appointed a special committee to investigate the sugar industry, gave the sugar tariff its fullest blessing, and once more rebuked the South for not realizing the benefit which accrued to cotton planters because of the relief which lands planted in cane gave to overproduction of the other commodity.63

Similar friends of the sugar tax in Mississippi, however, received a less cordial hearing, and when they petitioned their state legislature to express its favor of that duty, the Natchez Gazette hurriedly interposed its objections. Nine tenths of the

⁵⁸ Such an act was passed at the extra session of the legislature in November, 1831. See Acts of Louisiana, 10 Leg., Ext. Sess., 4.

50 Louisiana Senate Journal, 10 Leg., 1 Sess., 33, 35.

60 Louisiana House Journal, 10 Leg., Ext. Sess., 3-4.

61 Viles' Weekly, Perister, VIL (1931) 0

Weekly Register, XLI (1831), 9.

⁶² Ibid., 12. 63 Ibid., appendix, 47-52; Philadelphia National Gazette, November 17, 1831.

state would resent such a pronouncement, it was claimed, as well as disagree with the frequent Louisiana assumption that the duty on its staple was not a part of the protective system. Concluded the *Gazette*:

We will not debate the point of advantage or disadvantage as regards this particular duty. It is a question between the advocates of free trade and the advocates of the restrictive policy. Is Mississippi a tariff state? Then she will support the sugar duties. Is Mississippi a free trade state? Then she will urge the repeal of the duty.⁶⁴

As early as December, 1830, the Democratic Republicans began to fear that by giving credence to the dangers forecast for the sugar duty they were playing into the hands of the National Republicans and stirring up a more general support of the tariff as a whole in Louisiana. They accordingly set out to discredit the alarm prevailing in the state, and the Louisiana Courier lashed out at the protectionists:

The truth is, that there would have been little or no excitement occasioned here by the circular of the secretary of the treasury on the subject of sugar, but for the attempts that have been made to give the subject a party aspect, and to induce the impression that the removal of the Sugar duties was a contemplated measure of the dominant party.... That the subject may be broached in Congress, is very possible; but that it will be considered, at the present session, surpasses our belief in the strength of that party in Congress that is devoted to the abstract principles of free trade, in their fullest extent.⁶⁵

This was completely ignoring the fact, of course, that staunch Democratic Republicans as Slidell and de St. Romes, the Courier's editor, had done much to give these fears vogue; and Haynes' program against the sugar duty early in 1831 completely falsified the denial of impending danger. By the time those attacks had proven themselves abortive, however, the Jackson men had come forth with a new strategy. They charged that the identification of the sugar tariff with the protective system by the National Republicans in April, 1830, had stripped that duty of its claim to a "revenue only" basis, and had laid it open to concerted attacks by the antitariff forces. Because of such a blunder, said the Democratic Republicans, the sugar duty was now unacceptable to its only real friends—the southern Jacksonians. "If the party

<sup>Quoted in Niles' Weekly Register, XL (1830), 259.
New Orleans Louisiana Courier, December 15, 1830.</sup>

that now rules the state," it was warned, "provoke by their uncompromising conduct the advocates of free trade to persevere in their attacks on our sugars, till they succeed in repealing the duty on foreign ones, upon you and your friends will the execrations of every individual in the state fall."66

The dispute became an issue late in 1831 in the struggle to name a successor to Livingston in the national Senate. The Jackson forces backed Henry Carleton as an antitariff candidate friendly to the sugar duty, in opposition to George A. Waggaman, supported by the state administration party. The Democratic Republicans were voluble in their charges that the friends of the tariff, by voting to consider Haynes' resolutions at the last meeting of Congress had betrayed Louisiana,67 whereas various antitariff leaders had voiced their friendliness toward the sugar duty.68 The "justice of our cause," preached the Louisiana Courier, "will soon be found a better reliance for us, than an unnatural alliance with those who, it is evident, have not the least sympathy with us;" and if, it was asked, "we identify the sugar duty with the tariff, how shall it escape the general modification that must be made in the tariff act, not only to meet the new emergency about to arise in the affairs of the republic by the extinguishment of the public debt, but to appease the raging of the storm that already threatens the integrity of the union?"69 It was also contended that Carleton, being a Jackson man, would be closer to the national administration than Waggaman, 70 and consequently in a better position to defend Louisiana's interests:

It must be apparent to everyone, that, besides the sugar interest, in identifying which with the tariff we have made a very great blunder, we have no interest in the "American System." That interest with Mr. Carleton, will be equally safe as it would be with his competitor, while the former will be much more acceptable to the opponents of "the system," upon whom is now our main reliance.71

Enthusiasm for this new thesis soon caused the Democratic Republicans to overreach themselves, however, and underestimate the strength of those who, like the National Republicans,

⁶⁶ Ibid., May 19, 1831.
⁶⁷ Ibid., May 23, September 7, 1831.
⁶⁸ Ibid., October 21, 1831.
⁶⁹ Ibid., September 7, 1831.
⁷⁰ Cited from a New Orleans paper by the Philadelphia National Gazette, November 24, 1831.

71 New Orleans Louisiana Courier, November 14, 1831.

still looked to the tariff party for protection of the sugar impost. On August 31, 1831, the New Orleans Louisiana Advertiser invited "the friends of Free Trade in the City of New Orleans, as well as those from the Interior, who may be in the City" to "attend a meeting at Hewlett's Exchange on Thursday next, at 8 o'clock P. M., to appoint Delegates to the Free Trade Convention to be held at Philadelphia on the 30th of September." Such representatives were needed, it was claimed, because the "sugar duty and the tariff rest upon very different bases; but if there be no one in the proposed convention to attend to our interests, by whom is this to be shown? . . . from Georgia to Maine, the voice will be, 'take off the duty upon sugar: it is of no benefit to us!' "73 Despite these laudable intentions, the meeting proved a dismal failure.

When the time for opening the session had arrived, no one was present to assume the chair for the antitariff party, whereupon a well known protectionist of Baton Rouge called the assembly to order so that it might be adjourned until the "first day of September, nineteen hundred and thirty one," a move which occasioned high glee in the National Republican camp. The Jackson press tried to explain the incident away by claiming that when the backers of the meeting had begun to be insulted as "nullifiers" and "anti-union" men, they had "concluded to abandon the project" but neglected to cancel the public notice of the assembly so that the expected hecklers from the protectionist faction would arrive at an empty hall. To

The whole affair undoubtedly embarrassed the Democratic Republican cause, and Waggaman received the vacant seat in the national Senate. The chief significance of the whole contest was its clarification of the tariff positions of the two parties in Louisiana—the National Republicans supporting the sugar duty as an integral part of the protective system, the Democratic Republicans upholding the tariff on the state's staple but denying that it was connected in principle to the hated American System. This cleavage was to be characteristic of two opposing factions in Louisiana for at least a decade, the Whigs carrying on the

⁷² Ibid., August 31, 1831.

⁷³ Ibid., September 5, 1831.

⁷⁴ Baton Rouge Gazette, September 17, 1831.

⁷⁵ New Orleans Louisiana Courier, September 3, 1831.

⁷⁶ Norton, "Whig Party in Louisiana," 77.

National Republican program against the Jacksonians after 1834.

Tariff agitation was by no means endemic to Louisiana in these early years of the 1830's. The whole country was acutely aware that the great issue was fast approaching a period of crisis, and southern men came to the Twenty-Second Congress in December, 1831, openly proclaiming that unless the session saw some relief afforded their section by a reduction in tariff rates, regrettable but inescapable steps would have to be taken to release themselves from the rule of "King Demos." Secession and nullification were words never far from their lips in the days pending the consideration of the vexing problem.77

Preliminary blows began to be swung even before the main issue had come before the House. Early in January, 1832, Thomas T. Bouldin of Virginia presented a resolution calling for the Committee on Commerce to investigate the minimum duties included in past tariff laws and ascertain exactly how great were the taxes exacted by this system in terms of percentage on the original cost of imported merchandise.78 To what extent, Bouldin asked, were the minimum duties prohibitory? Immediately it seemed as if a full-blown tariff debate were to be initiated. When the representatives of the manufacturing states attempted to shift the inquiry to the protariff Committee on Manufactures, heated and lengthy argument ensued, supported on either side by the usual timeworn but trusty pronouncements as to the blessings or curses of protection, as the case might be. The antitariff men particularly charged their opponents with trying to conceal from the public the real effects of the minimums system, while the protectionists countered with the indictment that the South was trying to ruin the woolens industry. 79 Bouldin's resolution was finally sidetracked by passage in such a form that the information desired was buried in a sea of generalities.80

 ⁷⁷ Congressional Debates, 22 Cong., 1 Sess., 3168, 3235, 3530.
 ⁷⁸ Ibid., 1538.
 ⁷⁹ Ibid., 1547-1548.
 ⁸⁰ Ibid., 1625-1626.

The main tariff issue, meanwhile, was receiving the attention of both the Committee of Ways and Means and the Committee on Manufactures, the former controlled by antitariff men, the latter by protectionists.81 On February 8 McDuffie reported a new tariff bill from the Committee of Ways and Means, proposing a 25 per cent ad valorem duty on all iron and steel, salt, sugar, cotton bagging, and woolens imported from June 30, 1832, until June 30, 1833; and an 18 per cent duty from the latter date until June 30, 1834, at which time the rate would drop to 12½ per cent. On all other manufactures or products paying duties, the new 12½ per cent duty was to take effect immediately.82 The committee's report in defence of the bill was nothing more than a restatement of McDuffie's old theory that all taxes on imports were actually levied on exports. Since the South contributed three fourths of the entire exports of the United States, McDuffie claimed, that section was unduly burdened by the tariff.

If a product of domestic industry, converted into a foreign manufacture, is subjected to a certain duty, no good reason can be assigned why a similar domestic manufacture should not be subjected to the same rate of duty. These respective manufactures, though acquired by different processes, are equally the production of domestic industry, and to impose a tax upon one, because it is obtained by the intervention of a foreign exchange, and exempt the other, because it is manufactured in the United States, is in no respect less unequal and unjust than it would be to levy an excise duty upon a domestic manufacture when made by imported machinery, and exempt the very same sort of manufacture when made by domestic machinery.⁸³

Before the McDuffie bill came up for consideration by the House, John Quincy Adams reported the bill drafted by the Committee on Manufactures,⁸⁴ which was later to be accepted in most details after extended and involved debate. A comparison

⁸¹ Ibid., 1585-1588.

⁸² Ibid., 1763.

⁸³ House Report, No. 279, 22 Cong., 1 Sess., 2.

⁸⁴ Congressional Debates, 22 Cong., 1 Sess., 3090-3091.

of the important sections of the measure, as reported, with those of the tariff of 1828 may be shown as follows:

ACT OF 1828

- 1. Minimums on woolens set at 50¢, \$1.00, \$2.50, all to pay 45 per cent.
- 2. Unmanufactured iron, 1¢ per pound.
- 3. Manufactured iron, \$37 per ton.
- 4. Pig iron, 621/2¢ per 112 pounds.
- 5. Sugar, 3¢ per pound.
- 6. Syrup, no duty.
- 7. Cotton bagging, 5¢ per yard.85

PROPOSED BILL OF 1832

- 1. Woolens under 40¢ to pay 5 per cent; worsteds, 10 per cent; worsted yarns, 20 per cent; woolen yarns, 4¢ per pound, and 25 per cent.
- 2. Unmanufactured iron, 90¢ per 112 pounds.
- 3. Manufactured iron, \$30 per ton.
- 4. Pig iron, 50¢ per 112 pounds.
- 5. Sugar, 21/2¢ per pound.
- 6. Syrup, 21/2¢ per gallon.
- 7. Cotton bagging, 31/2¢ per yard.86

The provisions of the bill which were to draw most fire from the southern men when the debate opened required that: (1) all duties on wool or manufactures of wool were to be paid in cash, without benefit of discount, or the goods might be placed in public stores until payment was made, usual storage and interest fees being charged; if one half of the duty was not paid in three months, followed by full payment in another three months, the goods were to be sold at public auction; (2) the same procedure was to apply to all other goods assessable for less than \$200;87 (3) the value of the pound sterling was to be set at \$4.80.88

In the report accompanying the bill, the committee claimed cognizance of the demands being made for reduction of the revenue to the expenses of the government, but was also mindful of the duty of Congress to provide for the "common defense." This provision was interpreted as including the defence of manufactures, which, said the committee, had been provided by the first Congress. Explaining its reduction of the sugar duty, the committee claimed that such action would not have been taken

⁸⁵ Tariff Acts Passed by the Congress of the United States from 1789 to 1897, 72-77.
86 House Report, No. 481, 22 Cong., 1 Sess., 29-36.
87 Ibid., 33.
88 Ibid., 36.

had it not been possible to compensate the sugar planters by the introduction of a tariff on syrup.89

The debate which followed on the two conflicting bills saw McDuffie's proposal shelved early in the proceedings by an amendment striking out the whole first provision of the bill.90 Antitariff forces began a concerted effort to eliminate the Adams measure along with it, including in their speeches arguments based on constitutional points⁹¹ as well as on grounds of expediency. They pictured the cotton growing sections as prostrate at the feet of the manufacturing interests, forced to compete with them because of the exchange of cotton for foreign merchandise, yet taxed on these very items of competition. The tariff in their eyes was devoid of a single redeeming feature, and they denied flatly that because of the American System Louisiana contributed to the prosperity of the whole South by the value of its market.92 If the truth were told, they said, the real interests of Louisiana were being ground beneath the feet of a few hundred sugar planters. In fact, the tariff was not actually a matter of great importance to the Louisiana industry, they claimed, because as duties fell such expenses as the price of land would fall with them, and profits would scarcely change.93

The protectionists, on the other hand, denied that the South was impoverished or that the tariff could be the source of whatever depression was being felt.94 South Carolina they painted as clearly "deluded," suffering not from the tariff but from soil exhaustion and overproduction of one staple. Perhaps the strongest argument of this type was delivered by Henry A. Bullard of Louisiana, who claimed that he gave support to the protective system not only because of the instructions from his state legislature but also because his years as a cotton planter in a southern state had convinced him of the benefits to be derived from protection. The great majority of the people in his section of Louisiana were also cotton planters, Bullard pointed out, and while they differed among themselves on the tariff question as upon all others, "they do not think of quarrelling about it, and they

⁸⁹ Ibid., 27.

⁹⁰ Congressional Debates, 22 Cong., 1 Sess., 3242.

⁹¹ The most extensive constitutional argument on either side was presented by Bouldin in an attempt to prove that the first Congress had outlawed protection by implication. ibid., 3210-3213.

92 Ibid., 3232.

⁹³ Ibid.

⁹⁴ Ibid., 3438.

do not feel or complain that they are oppressed, grievously burdened by its operations; on the contrary that section of the country is prosperous, highly prosperous, and contented."95

The South, said Bullard, had seized upon the tariff as the cause of its impoverishment, if any, without facts really to back that claim. On the other hand, it was certainly no delusion that the cotton growers of Louisiana, operating under the same laws as the planters of South Carolina, were getting rich. If they were "oppressed and ground down by the taxation," they had "the singular good fortune never to have discovered it, never to have felt it, and people are very apt to feel what affects their pockets." Soil and cultivation should receive their share of the blame for conditions in South Carolina, Bullard asserted. While Louisiana land yielded 2,000 pounds of cotton per hand, that of South Carolina seldom gave over 900. In such circumstances, the plight of the older state was perfectly natural, Bullard explained, observing that "as competition brings down the price of any agricultural products, inferior soils are necessarily abandoned." Provided the cause of the same products, inferior soils are necessarily abandoned.

McDuffie's export theory was given little credence by the Louisianian. As a cotton planter himself, he declared, it was a simple matter to detect the fallacy in an argument which claimed that the produce of the South was exchanged in England for goods which were then imported into the United States for marketing. As a matter of fact, there was no such exchange. Cotton was sold to agents in America for money, and no one, said Bullard, had tried as yet to tell him how to dispose of profits acquired in this manner. If the cotton grower acted as his own agent, moreover, the exchange in England was still made for specie, and so far as he could determine, there was no import duty on that item.98 Far from being a burden on the planter, Bullard continued, the tariff was actually a boon—it provided a new and closer market; it kept the prices steady; and it had led to the manufacture of new cloths such as duck and sheetings.90 If the North was actually more prosperous than the South, might it not be because labor in the former section was steadily employed in factories, while in the latter an average of two months

⁹⁵ Ibid., 3588. For similar views on the opinion of Louisiana cotton growers in this matter, see the address by Senator Johnston at Alexandria in April, 1831, as reported in Niles' Weekly Register, XL (1830), 259.

⁹⁶ Congressional Debates, 22 Cong., 1 Sess., 3590.

⁹⁷ Ibid., 3591.

⁹⁸ Ibid., 3592.

⁹⁹ Ibid., 3593.

a year was lost because rains and other climatic disturbances arrested work in the fields?¹⁰⁰

Bullard designated as the chief purpose of his address the protection of the interests of the Louisiana sugar planters, jeopardized by the proposed reduction of the sugar duty to $2\frac{1}{2}$ cents a pound. No one would gain by this drop but the West Indies planter, he complained, warning that whereas the price of the commodity had fallen from 14 to 5 cents a pound, once Louisiana competition was removed, the island producers would be sure to jump their prices. Louisiana sugar, it must be remembered, was paid for in the other sections by a great amount of goods which could not be shipped to the West Indies for exchange. It was, as well, certainly unjust to his state, Bullard said, to cut the support from under her most important industry, after she had helped pay a public debt of \$100,000,000 which had been outstanding at the time of her entrance into the Union. 101

Bullard's active participation in the tariff debate was brought to a close with a thoroughgoing condemnation of the "cry of disaffection, secession, disunion," which had been heard throughout the course of the struggle. That cry had indeed been given voice more than once. On May 28 McDuffie had called upon "that God to whom we all are responsible" to witness his conviction "that if this question be not adjusted during this session, South Carolina will not submit to the tariff five months from the day of our adjournment."102 Three days later Bouldin declared that, although his constituents were attached to both the Union and the Constitution, they would never sacrifice the latter for the former, "and if this system of taxing them forty-five or fifty per cent. on all their disbursements, not for the need of Government, but to be given to capitalists, is rendered permanent, and they bear it, then would they not be the sons of the men of seventy-six, 'but bastards'—that they will never be."103 From the Georgia representative, Augustin Clayton, came the warning

¹⁰⁰ In answering Bullard, McDuffie later charged that the sale of cotton to agents in America affected the situation not at all, since lower prices were naturally paid by a purchaser who realized that the goods he was going to receive in exchange for the cotton would be taxed upon entry into this country. If cotton was exchanged for specie in England, there would be a steady drain of money from that country to America, resulting in the dollar losing value in the United States while it increased abroad, again causing a loss to the cotton grower. Bullard, said McDuffie, was ignorant of the true interest of Louisiana and should rejoice that the fertile soil of his state allowed her to bear the oppression of the tariff with such little pain. See ibid., 3818-3824.

¹⁰¹ Ibid., 3594-3597.

¹⁰² Ibid., 3168.

¹⁰³ Ibid., 3235.

that unless "an auspicious issue attends the present deliberations," they might be "the last that will ever again engage the attention of this body within these walls." 104

Bullard was not only unequivocal in his condemnation of these expressions, but persistent in the claim that the whole Union was bound in treaty to the state of Louisiana to remain united:

Let me tell you, sir, this cry will find no response among the loyal people whom I have the honor to represent. They are determined to adhere to the Union, whatever may be the result of your deliberations. They will acquiesce in the will of the majority. Though you may suddenly and improvidently change your policy; though that change may be fatal to their prosperity, yet will they cling to the Union as the last hope of permanent liberty and independence. . . . And, sir, I will go further and tell you, let the original parties to this great confederacy regard it as they may, as relates to them; let them mutually menace a separation of the States; Louisiana claims at the hands of you all, the blessings of this Federal Union, by virtue of a treaty stipulation; she has your solemn guarantee, and demands it as her right. You cannot break up the Union without the deepest stain on your national faith. 105

In commenting upon this pronouncement, Samuel P. Carson of North Carolina slurringly labeled Bullard's remarks as nothing but the mouthings of a supporter of the sugar industry in a state which had shown no great attachment to the Union in 1814.¹⁰⁶ This elicited from Philemon Thomas, doughty old veteran of the Revolution and the War of 1812, his sole comment on the tariff. Calling the North Carolinian to task for his ignorance of the true situation in New Orleans at the time of the Jackson campaign, Thomas concluded with a full approbation of his colleague's position on nullification and secession.¹⁰⁷

When the general debate on the Adams bill had given way to bickering over specific clauses, there was a strong attempt by the woolens interests to raise the duties which concerned their constituents. Led by John Davis of Massachusetts, they succeeded in introducing a high minimum value stipulation for

¹⁰⁴ Ibid., 3530-3531. Clayton's remark was brought forth by the continual absence of a quorum in the House during the tedious and lengthy tariff debates.

¹⁰⁵ Ibid., 3597-3598.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid., 3653-3654.

woolens and raised the duties on certain varieties of such goods to as high as 40 and 50 per cent ad valorem. 108 The sugar duty, on the other hand, was the object of attack by several antitariff leaders. Campbell P. White of New York attempted to secure a reduction to 2 cents a pound, and although this move was defeated through the efforts of White, the Louisiana delegation was unable to swing a return to the old 3 cent rate. 109 The bill passed the House on June 28, 1832, with Bullard and White voting nay, obviously in an attempt to save the sugar duty, while Thomas, always more open to compromise, cast his vote in the affirmative.110

In the Senate, meanwhile, the tariff controversy had already begun independently of the House activities, Henry Clay leading the fight to preserve the protective principles against onslaughts by Robert Y. Hayne of South Carolina and his followers. 111 There was even more animosity shown toward the sugar duty here than in the lower house. Isaac Hill of New Hampshire moved a reduction to 1 cent a pound, 112 and Willie P. Mangum of North Carolina claimed in his support that the direct benefit of the tax went into the pockets of a few sugar planters, while "an indirect benefit arises to the other bandit interests, by securing the vote of Louisiana, to enable them to make similar exactions from the great planting interest of the country."113 The same charge was made by John Tyler of Virginia, who asserted that if the sugar duty had not "been dovetailed in with other duties equally extravagant, before the going down of the sun it would be stricken from the statute book."114

Debate on the Senate resolution was halted when the House bill was reported on June 29. Johnston and Waggaman immediately aligned themselves with the tariff party in its successful attempt to raise the woolens duty to 57 per cent115 and managed to restore the 3 cent sugar duty. 116 They also backed the successful fight against elimination of the cash payment provision of the bill, 117 and voted for final passage. 118

¹⁰⁸ Ibid., 3674. 109 Ibid., 3690-3691. 110 Ibid., 3830-3831. 111 Ibid., 19, 55, 66. 112 Ibid., 298. 113 Ibid., 313. 114 Ibid., 352. 115 Ibid. 1176, 1180

¹¹⁵ Ibid., 1176, 1180, 1190, 1200. 116 Ibid., 1189. 117 Ibid., 1202-1203. 118 Ibid., 1219.

The House expressing unwillingness to compromise on the most important Senate amendments, it was necessary for committees from both bodies to confer on the deadlock. Heading the Senate group was William Wilkins of Pennsylvania, anxious for the passage of the bill at any cost so as to secure the position of the iron manufactures, which had escaped any appreciable reduction by the proposed tariff. Influenced by Wilkins, the committee surrendered completely to the demands of the House and soon reported back to the Senate that they advocated yielding on all the amendments in dispute. 119 Acceptance of this advice would mean that the woolens duty was to remain at 50 per cent; that on cotton bagging at 3½ cents; and that on sugar at 2½ cents. 120 Clay immediately inquired why the interests of the Louisiana sugar planters and the Kentucky manufacturers of cotton bagging had been abandoned by the committee. To lose the half cent duty on sugar, he argued, meant the entire sacrifice of the protective principle as applied to that article, since the duty as a whole had been raised since 1815 by no more than that half cent. 121 Wilkins' position was made clear by his reply that the committee had accepted the House demands on the sugar tariff as the only way of saving the bill. 122 Clay's remonstrances going unheeded, the recommendations of the committee were accepted and the tariff bill of 1832 was sent to the President, soon to become law.123

Despite the reduction of various duties and the elimination of all imposts on many articles not in competition with American manufactures, the bill was viewed by most of the southern men with unveiled hostility and bitterness. In the words of McDuffie, "so far from having any claim to be considered as a compromise, it is the most unequal, unjust, and therefore the most oppressive tariff that has ever been enacted by Congress not excepting that of 1828." The bill as passed, McDuffie claimed, would "effect a reduction something larger than that esimated by the Secretary. the precise amount being \$4,624,000."124 But the amount of reduction on "goods exchanged for Southern exports" was only \$844,000, he pointed out—\$198,000 on iron and woolens; \$199,000

¹¹⁹ For this interpretation see Stanwood, American Tariff Controversies in the Nine teenth Century, I, 383.

120 Congressional Debates, 22 Cong., 1 Sess., 1218.

¹²¹ Ibid., 1277. 122 Ibid., 1289. 123 Ibid., 1287-1293. 124 Ibid., 3810.

on cotton goods: \$20,000 on cotton bagging; and \$427,000 on wool and woolens. Even this slash was more than counterbalanced by such provisions of the bill as those requiring cash payments and diminishing credits, provisions which in reality increased by from 5 to 10 per cent the specified duties on imports. These hidden duties, according to McDuffie, exacted an additional \$2,250,000 from the imports exchanged for southern goods, as contrasted to the nominal reduction of \$844,000 supposedly effected on those same articles. Instead of a decreased taxation, therefore, the South had been presented an additional burden of \$1,406,000, McDuffie claimed. On the other hand, the North would be relieved to the amount of \$3,780,000 by a reduction of duties on goods which they alone consumed.125 Similar views were expressed in the Senate by Hayne, who denounced the bill because it maintained the protective principle, minimum duties, and the evil of providing more revenue than was needed by the government. 126 Summarizing the complaints of the southern men, he remarked:

Sir, this bill holds out no relief to the South. We have never uttered one word of complaint against the duties on unprotected articles. . . . Our complaints have been levelled against the duties imposed, not for revenue, but for protection. And gentlemen gravely propose to redress our grievances by taking off all the revenue duties, and leaving the protecting duties untouched. 127

For the first time since the great tariff controversy had begun to pit section against section, Louisiana found herself in 1832 the victim of a reduction in the duty which protected her most important staple. Yet the state showed little resentment or bitterness in the days following the passage of the bill, nor was there the slightest expression of sympathy for the movement then flaring up in South Carolina. Prevailing opinion in both the National Republican and Democratic Republican press seems to have considered the new tariff act as a genuine compromise effort, which would quiet the troubled waters of disagreement and allow the industry of the nation to proceed under a definite and lasting tariff program, no longer plagued by the uncertainty which had characterized previous years. Especially sympathetic to the new act were the Jackson supporters, who considered the half cent

¹²⁵ Ibid., 3810-3811.

¹²⁶ Ibid., 1207-1208. 127 Ibid., 1209-1210.

decrease in the sugar duty as more than compensated for by the promise of steadiness in the future and a more rigorous application of the customs exactions. The New Orleans Louisiana Courier saw fit to praise Jackson for "the satisfactory basis on which the interests of our sugar planters have been fixed by the recent tariff, as recommended by the treasury department."128 Even before the passage of the bill a planter had written to the Bee:

The proposed reduction on brown sugar would not materially affect the sugar growers of Louisiana; it would cause no alteration in the prices, and they would be much better satisfied, as the scale of duties would be much more permanent. We speak not from mere conjecture when we say, that a large majority of the sugar planters of Attakapas, would be entirely satisfied with the proposed reduction; and content with a certain and permanent system, and not content with extreme protection, to the suppression of their brethren of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee and Mississippi, as we have already seen the evil consequences that have arisen therefrom, and threaten at every moment to disturb the peace and harmony of our prosperous, social and happy republic. 129

Another correspondent felt that the sugar planters should be satisfied with a 21/2 cents duty, especially since the cotton growers were more in need of governmental aid than their fellow agriculturists. 130 Moreover, it was maintained that with "a more strict execution of the law by which the officers of the customs, particularly of this port [New Orleans], for which the fidelity and vigilance of the incumbents are a solid pledge, the present tariff may be more protective than before, for it will not be violated."131 The Clay forces in the state were less impressed by the new act, however, one publication expressing the fear that it was "such a measure as is received with doubt and hesitation by each party; commanding neither the decided hostility of one or the other of the parties chiefly concerned in the operation of the bill."132

In South Carolina, meanwhile, events were by no means as placid. True to the predictions of McDuffie and Hayne, the radical leaders of the state had resolved never to submit to the "tyranny"

¹²⁸ New Orleans Louisiana Courier, October 8, 1832.
129 New Orleans Bee, June 7, 1832.
130 Ibid., June 22, 1832.
131 New Orleans Louisiana Advertiser, October 16, 1832.
135 Baton Rouge Gazette, August 25, 1832.

of the tariff of 1832. At the Nullification Convention of November 19, 1832, the Ordinance of Nullification proclaimed that the tariffs of 1828 and 1832 were unconstitutional and that any attempt to force them upon South Carolina would be considered an act of war. President Jackson's proclamation condemning nullification as treasonable was answered by Governor Robert Y. Hayne's appeal to South Carolinians not to be "seduced" by the claims of the President. Actual warfare seemed inevitable between state and nation. 133

If any voices were raised in Louisiana in behalf of nullification, they were drowned out in the chorus of protests against the "heresy of South Carolina." Even when the state had been gripped by alarm for the sugar duty in 1831, there had been repeated protests that "we are not nullifiers," 135 and Clay had confirmed those sentiments during his visit to New Orleans: "Complaints there are among individuals, but neither the Legislature nor any public assembly has, for a moment, forgotten its loyalty to the Union, or its respect to the public authorities. We have no menace of violence, no charges of the oppression and tyranny of the majority, no threats to execute the powers of nullification."136

During the crisis of 1832-1833 all political factions of the state joined in a concerted and vocal opposition to the doctrine of the nullifiers. Meetings were held by Baton Rouge citizens to declare their "inviolable attachments to the Aegis of the Union, firm adhesion to the principles of '76, and determination to sustain them at every hazard."137 In New Orleans a group of outstanding leaders of both parties, including Governor Roman, Alexander Porter, Jr., James Workman, F. X. Martin, Charles Gayarré, Denis Prieur, J. C. de St. Romes, John Slidell, and Charles M. Conrad, had met as early as June 27, 1832, "for the purpose of expressing their disapprobation of the spirit of Nullification and Disunion, and memorializing Congress to adjust at its present session the subject of the Tariff."138 "Friends of the Union" gathered in the same city in January, 1833, damned

¹³³ Yates Snowden (ed.), History of South Carolina (Chicago and New York, 1922), II,

nullification, declared the Union an "indissoluble compact" deserving the first allegiance of all citizens, and pledged their "lives and fortunes to sustain" Jackson "in his efforts to maintain the laws and maintain the integrity of the Union."139 Similar resolutions were passed by Opelousas residents,140 and a mass meeting in protest of nullification was convened in St. Mary Parish.141 Louisiana spoke as with one voice and one command— "the rule of the majority must prevail."142

Concurrence in these views had long been expressed by the state authorities, Governor Henry Johnson having warned as early as November, 1828, that threats of disunion resulting from the "Bill of Abominations" would be "met by the frowns, and if necessary resisted by the arms of an indignant public."143 In January, 1831, Governor Roman had attacked nullification in his inaugural address,144 and in 1833 he again confided to the state legislature:

At this moment, when the States of the American Union have, by the excellence of their institutions, reached a degree of prosperity and wealth unprecedented in history; when we offer the novel spectacle of a government whose sole problem is to decide in which manner, after having paid her debts, to employ a surplus revenue; it would seem impossible to suppose that this same circumstance should be seized by one of the States of the Union, to protest against the oppression of several of those laws which govern us, and to manifest its intention of withdrawing from the Confederation. 145

Yet it was only too true, he continued, that South Carolina had assumed just that attitude in its defiance of the tariff laws "which all have sanctioned and which they pretend they have the right to nullify." Referring to the Nullification Ordinance issued by the South Carolina convention, Roman exclaimed:

Despite the talent with which this call to their citizens has been expressed, it is impossible to disguise that the principles contained therein tend to undermine the bases of our Confederation, to the total disorganization of the Union. Similar doctrines cannot find an echo among us; no one can persuade us that under the empire of a constitution adopted to give

¹³⁹ New Orleans Louisiana Courier, January 3, 1833.

140 Ibid., January 29, 1833.

141 New Orleans Bee, January 22, 1833.

142 Ibid., January 7, February 1, 1833; New Orleans Louisiana Courier, No.

13, December 24, 1830; March 26, 1832; Baton Rouge Gazette, December 22, 1832.

143 New Orleans Louisiana Courier, November 18, 1828.

144 Louisiana House Journal, 10 Leg., 1 Sess., 54.

145 Ibid., 11 Leg., 1 Sess., 4.

greater force and stability to the national government, a constitution in which all is decided by rule of the majority, that justice requires recognition of the right of a single state to judge and decide exclusively for itself, a question in which all the others have an equal right to judge and decide for it; that one State has a right to govern all the others as often as it pleases to assemble a convention to declare that a law is unconstitutional.¹⁴⁶

Although the problem was one for the national government to handle, Roman explained, yet Louisiana should not forget her motto, "Justice, Union, and Confidence," nor fail to "surround the President with all the force possible by expression of general approbation" of his actions.

The committee appointed by the legislature to investigate the conditions forming the subject of this section of the Governor's message reported on February 14 through Thomas C. Nicholls that they fully agreed with Roman's stand on nullification. Even to concede that South Carolina had just cause for complaint against the tariff laws, the report ran, would not "furnish authority or excuse for the violent and precipitate policy she has thought proper to adopt." The committee recommended, therefore, the following resolution, which was ordered to be printed:

Resolved, That the attitude assumed towards the government of the United States, by the State of South Carolina, is justifiable neither by necessity nor law; that the whole course of her policy is calculated to involve the Union in unnatural excitement, and has a direct tendency to weaken the cause of liberty throughout the world.

That it becomes the duty and determination of Louisiana, to support the integrity of the Union, when assailed either by internal commotion or foreign aggression.¹⁴⁷

An additional report by other members of the same committee, read by James Porter, pointed out that Louisiana, being the producer on one hand "of that staple which has been alleged to be most injured" by the tariff, and, on the other, of "another that has been most favored by protection," was in a position justly entitling her to be listened to on the tariff question. After considerable reflection on the subject, it was maintained, the people of Louisiana "have never felt as if they were much or at

¹⁴⁶ Ibid.

¹⁴⁷ Ibid., 41-42.

all injured, and by much less benefitted than has generally been supposed." If it were true that the tariff was ruinous to the cotton planter, certainly the same effect should have been felt by Louisianians engaged in that industry, "yet that branch of our agriculture is at this time, and perhaps always has been, decidedly more prosperous than the other, the protection of which, has in the bitterness of party feeling, been deemed, so particularly obnoxious." Furthermore, since secession of one state compromised the interests and rights of all the others, Louisiana could look upon such action only with disfavor and disapproval. 148

That all the Louisiana legislators did not equally favor the tariff, however uniform their condemnation of nullification, was evidenced when these reports came up for consideration and John R. Grymes of Orleans Parish moved the adoption of a substitute which would have condemned protection. As viewed by this third commentary on nullification, the government of the United States was "essentially federal in form and limitation of its powers," and any activity on its part to extend the sphere of its control beyond the limits "clearly defined by the Constitution" was accordingly unconstitutional. The tariff acts then in force "for the protection of manufactures" were denounced as outside the power of the general government to enact, resulting only in "engendering hate where fraternal affection" should exist. Embodied in this last report was the resolution that:

This assembly declares in a body and unequivocally that the doctrine of nullification as put forward by the State of South Carolina is unconstitutional and revolutionary in nature; that this assembly views with regret the attitude that State has taken towards the federal government; and that, although fully aware of the evils calling forth the complaints of that State, in the name of peace, harmony, and most sincere attachment to the Union, this assembly exhorts South Carolina to suspend her activities; to retrace her steps, and to await with patience the tardy but unfailing remedy which is promised her, the constitution, and national justice. 149

This sweeping attack on the tariff policy which Louisiana had embraced in 1830 was rejected by a decisive 31 to 7 vote, the ayes and nays revealing that every supporter of Grymes' sub-

¹⁴⁸ Ibid., 42.

¹⁴⁹ Ibid., 69-70. .

stitute report was a delegate from a dominantly cotton parish except two representatives of New Orleans. 150

When the reports of Nicholls and Porter had been voted upon jointly and lost, Thomas W. Chinn of West Baton Rouge moved reconsideration of the latter's statement and it was carried by the House, 20 to 16, in a vote which, for the most part, saw the sugar parishes in favor, the cotton parishes against, the declarations. 151 To give unequivocal enunciation of the state's attitude toward nullification, the legislature then resolved:

- 1. That nullification and secession are essentially revolutionary measures, no less irreconcilable to that principle which gives life and efficacy to our political institutionsan acquiescence in the will of a majority, seeking redress only through appeal to an enlightened public opinion—than they are incompatible with every sound principle of government.
- 2. That the tendency of the late measures of South Carolina, to bring states rights into disrepute is the point of view in which they are not the least to be deplored or deprecated.
- 3. That a sincere attachment to the Union causes this legislature to approve wholeheartedly, all measures which will reestablish harmony, without violating on one hand the rights of the states, or, on the other, degrading the constitutional power of the general government. 152

And finally, to establish beyond question Louisiana's tariff sympathies, it was maintained by a 21 to 13 vote:

That in expressing the opinion contained in the preceding resolution, this legislature considers itself duty bound to declare its firm belief that the acts of Congress under the title "tariff act" are not only compatible with the principles of a sane policy but that they are equally guaranteed by the fundamental law of the land. 153

It would have been well if such resolutions had been sufficient to restore harmony to the Union. Unfortunately for the

¹⁵⁰ Ibid., 70. Those favoring the report were J. R. Grymes and C. F. Daunoy of Orleans; Alexander Barrow and Isaac Johnson of West Feliciana; A. H. McCrea of Livingston; Beddin Brown of East Feliciana; S. W. Maddox of Ouachita; and Joseph Walker of Rapides.

151 Ibid., 71.

¹⁵² Ibid.

¹⁵³ Ibid. Practically every negative vote was from the cotton area, West Feliciana, Natchitoches, St. Helena, Ouachita, Livingston, and Rapides parishes casting nine of the thirteen votes against the resolution. Grymes also continued to support the antiprotectionist

state, however, the nullification struggle in South Carolina was to have far-reaching results. At the very time that the Louisiana legislature was advocating compromise and "all measures which will reestablish" amity, these same objects were uppermost in the minds of such national figures as Henry Clay, working tirelessly in Congress that a peaceful settlement might be effected between the Federal government and South Carolina. His success, although it settled the nullification issue, spelled trouble for Louisiana. For success could be bought at but one price—the Compromise Tariff of 1833—and Louisiana was to find that price extremely high.

CHAPTER III

THE TARIFFS OF 1833 AND 1842

Faced with one of the severest domestic crises in the history of the young republic, members of the second session of the Twenty-First Congress gathered in Washington early in December, 1832, and with the fate of nullification and the Union in their hands, listened anxiously to the opening message of President Jackson. That message, devoid of the usual fire and vigor of the Chief Executive, set the tone of ensuing legislative activity by advising immediate revision of the tariff, abolition of excessive duties, and "adaptation of the revenue to the expenditure," which should be "limited to what, by an economical administration, shall be consistent with the simplicity of the Government, and necessary to an efficient public service." With only a brief mention of the unfortunate situation which had arisen in South Carolina, Jackson warned that it was "due in justice to the interests of the different States, and even to the preservation of the Union itself, that the protection afforded by existing laws to any branches of the national industry should not exceed what may be necessary to counteract the regulations of foreign nations" and to secure a supply of articles vital to national defence.2

Emboldened by this appeal from the President, and taking full advantage of the wavering which fear for the Union had engendered in the ranks of protectionists, the House Committee of Ways and Means reported a new tariff bill on December 28, 1832.3 Controlled by such ardent free traders as Chairman Gulian

¹ Richardson (ed.), Messages and Papers of the Presidents, II, 598.

³ Congressional Debates, 22 Cong., 2 Sess., 940.

C. Verplanck of New York, the committee proposed slashing and abrupt alterations in the schedule: woolens were to be taxed 35 per cent for the ensuing year, then 25 per cent until March 2, 1835, and 15 per cent thereafter; cotton goods were to be forced down in one year to 20 per cent; the duties on iron manufactures were not to be altered until 1834, when a 20 per cent reduction was to go into effect; rates on cotton bagging were set at 15 per cent; the duties on sugar and syrup were to remain at 21/2 cents for one year, falling then to 2 cents; and molasses was to carry a levy of 4 cents a gallon.4

Objections to the measure came fast and heatedly. It was cried that the ink was "hardly dry" on the act of 1832,5 that the bill would "paralyze industry," and that Congress would be placed before the world as "coerced" by the threats of South Carolina.⁷ The manufacturing interests, seeing themselves in the hands of enemies, protested vehemently against surrender of the "protective principle" simply to satisfy one state.8 Incidental protection was branded as eventual death to the system.9 and a 20 per cent duty on woolens and cottons was deplored as tantamount to "a total repeal of all duties on those articles." Did Congress mean to act "under a menace," when no such things as "State independence" or "State sovereignty" actually existed? 11 "Have the committee," it was demanded, "taken counsel of their fears?"12 Passions reached such a pitch that Samuel F. Vinton of Ohio shouted in the heat of debate that he "would sooner see every man who occupied the seats around him swept away; he would sooner see the rivers of this land run with blood, and onehalf of the population of this fair republic perish by the sword, than see one jot or one tittle of that sacred Constitution which has been bequeathed to us by our fathers, or of the laws, obliterated by force."13

Conscious of their strength, the defenders of the bill were less fiery in their address, insisting that the measure had been called forth by the evident necessity of decreasing the revenue.14

⁴ Ibid., 958-961.

^{*} Ibid., 958-961.

* Ibid., 967.

* Ibid., 973.

* Ibid., 964.

* Ibid., 1025, 1043.

* Ibid., 1033.

10 Ibid., 1050.

12 Ibid., 1095.

13 Ibid. 1290.

¹³ Ibid., 1290. 14 Ibid., 963, 1122.

But the facts of the situation were so patent that some were not the least hesitant in acknowledging the true peace-searching motives of the proposal, 15 and in the words of Richard H. Wilde of Georgia warned: "If you will not alter, you must be called upon to enforce."16

Still uppermost in the minds of Louisiana congressmen, however, was the threatened slicing of the sugar duty. On January 21, 1833, White took the floor to defend that tariff, which he feared was not "so well nor so universally understood as the rest." In flowery and ornate style, he decried the procedure of the House:

I hear it familiarly said that the part we have to perform is not to be groping about in quest of the rationale of the measure, but to adopt the bill, and thereby save the Union. This amazes me. That this our fabric of government, the envy and the admiration of the world . . . and of which we ourselves have been boasting for the last fifty years, as the very perfection of human reason, should now require for its salvation a departure from, or an oblivion of, that which at first brought together its disjointed particles, and cemented them into a harmonious whole! I confess it passes my comprehension.17

He preached the dastardliness of "destroying others, without benefit or emolument to one's self; the liberty of robbing us of all that which will not enrich you, but will make us poor indeed," and stressed the unity of the "confederated republic" to which Louisiana had joined herself in 1803. For the allegiance of Louisianians to that republic he was ready to vouch, no less than for the fact that "The glorious E pluribus unum, which waved above their heads when they stood side by side with you to do battle with the common enemy, has not yet become a mockery" in their mouths. "It is still, thank God, the motto of our banner, and will, I trust, continue to be emblazoned there whenever, through time, it may be needful for us to shake out its folds upon the breeze."18

The usual pleas for the sugar duty were repeated in routine order: Louisiana asked only for continuance of the duties of 1803, and not for a share in any protective system; such had been the "plighted faith" of the United States, or the people of Louisiana

¹⁵ Ibid., 1078, 1103, 1251.

¹⁶ Ibid., 1259. 17 Ibid., 1158. 18 Ibid., 1159.

would never have joined a Union in which they would "live to see the day when the fate of [themselves], and of [their] children [would] hang trembling on the issue of a call of the yeas and nays in an assembly" which voted upon a measure "not as a question of justice, or of political economy, but as a question of liberty."19

Concession to South Carolina White pushed aside as not only cowardly and beyond the legal powers of Congress, but eminently foolish: "By the very spell by which you would lay one troubled ghost, might you not awaken from the tomb another specter [the North] still more terrific than the former?"20 Then, as the climax of his address, White painted the ruin which Verplanck's bill would visit upon manufacturers of the North and of his own state, finding but one consolation, "though a melancholy one":

misfortune is gregarious; it likes company, and will find it. If you will cast others into the darksome abyss, they will drag you along in their declivity. . . .

The people of the United States, or such of them as desire it, may press forward to that victory over the industry of their country which they covet; they may proceed to raze its workshops and its factories, till not one stone remain on top of another; but, if they do, they will soon have cause to mourn over what they shall achieve. The day will come when they shall bedew their own laurels with the tears of bitterness and repentance.21

The sugar duty figured prominently in the arguments of protectionist opponents of the bill. Debate found the tariff men attacking the weakness of the assertion that Verplanck's proposal had been made to reduce the revenue without endangering those industries necessary to the nation's defence. If it was desired to reduce the revenue, protectionists asked, why had a 1 cent duty been placed upon coffee to more than balance the half cent reduction on sugar?²² Nathan Appleton of Massachusetts questioned the sincerity of the committee's supposed concern over protecting defence industries, and utilized the duty on sugar as an excellent case in point. Although he defended protection of the Louisiana staple as entirely justifiable and desirable, Appleton confessed that he "would like to know on which of the prin-

¹⁹ Ibid., 1160-1161. ²⁰ Ibid., 1161. ²¹ Ibid

²² Ibid., 1162.

ciples avowed in the bill this duty is maintained-independence in war, equality, or luxury?" To disparage further the motives of the proponents of the bill, he recalled that in 1816 the "name of the gentleman from Georgia [Wilde] will be found on that occasion voting against the reduction" of the sugar duty. "So that, with all the gentleman's zeal in favor of free trade, I apprehend he must confess to a little peccadillo on that occasion. I recollect perfectly well, as a commercial man, that about that period the idea was current, that Georgia was going to abandon the culture of cotton, and take up that of sugar."23

Continued warnings were hurled at the South that to remove the protection of sugar meant opening new lands to cotton and loss of a valuable slave market. "Let us inquire," said Rufus Choate of Massachusetts, "whether it [the tariff] has not enlarged the domestic demand for foreign goods of all sorts which must be paid for by Southern staples; whether it has not withdrawn capital from cotton planting, to the production of sugar; whether it has not kept up the saleable value of slaves."24 John G. Watmough of Pennsylvania spoke in much the same vein, and questioned whether the bill would not "of necessity drive the sugar planter to the cultivation of cotton? I ask the Southern gentlemen to look well to this; to reflect calmly on this subject, and pause before it is too late."25 Thomas D. Arnold of Tennessee wondered how any man from the waters of the Mississippi "could vote to destroy the sugar plantations." Even then, he maintained, the West was faced with difficulty in finding a market for surplus produce, and if Congress "were to destroy the manufacture of sugar in Louisiana, the policy would be perfectly suicidal"—the alluvial lands of that state would be converted into cotton, corn, and rice, "and the whole agricultural community up the Mississippi, and its tributaries" would "feel the shock most ruinously."26

Despite these attempts to ingratiate the sugar duty into the good favors of the antiprotectionists, and in the face of assertions that there was "no State in this Union whose prosperity is so interwoven with the welfare of others, as Louisiana,"27 Campbell P. White of New York moved to reduce the sugar tariff to

²⁸ Ibid., 1215.

²⁴ Ibid., 1075. ²⁵ Ibid., 1296. ²¹ Ibid.

²⁷ Ibid., 1447.

1½ cents for the next year, and to 1 cent thereafter. Philemon Thomas objected strongly, and through his contentions that such a move would prostrate the Louisiana planters without lowering the price of their staple was able to kill the motion.²⁸ Having thus injected himself into the debate, Thomas then moved to strike cotton from the free list,29 to protect the Red River planters of Louisiana from "inundation" of Texas produce.30 John Davis of Massachusetts, however, protested against this attempt to lure the South away from a "consistent" stand to favor protection of a staple in which she was interested. As for Louisiana, Davis said, her representatives could take any position they chose-"she was not united with the South Atlantic States on any point. Her representatives dare not give up this duty, lest they should commit themselves to do the same thing with respect to sugar."31 Thomas' motion being accepted,32 a 2 cents per pound duty was levied on cotton.33

In the Senate, meanwhile, Clay had introduced his compromise bill on February 12, 1833, announcing as the "two great objects in view": (1) to insure a long period of gradually reduced protection; (2) to effect finally a tariff based on the "revenue only" principle.34 Frank in his admission that "whether rightfully or wrongfully, the tariff stands in imminent danger," Clay admitted that even if the system were preserved in the present session, "it must fall at the next," with a rapidity which would be worse in its effects than had been the revocation of the Edict of Nantes. He promised that with the provisions of his bill in force, after "nine years . . . the manufacturers, in every branch, will sustain themselves against foreign competition."35 Denying that South Carolina proposed armed hostility to the Union, Clay admitted that the state "has been rash, intemperate, and greatly in the wrong; but I do not want to disgrace her, nor any other member of this Union."36

The bill which he presented to effect these desired ends was relatively brief. All duties which by the act of 1832 exceeded 20 per cent ad valorem were to be reduced on September 30, 1833,

²⁸ Ibid., 1639-1640. 29 Ibid., 1640. 30 Ibid., 1739. 31 Ibid., 1742. 32 Ibid., 1640.

³³ Ibid., 1730.

³⁴ Ibid., 463. 35 Ibid., 467. 36 Ibid., 468-472.

by one tenth of that excess. From and after September 30, 1835, another one tenth of the remaining excess over 20 per cent was to be removed, and again in 1837 and 1839. After September 30, 1841, the yet existing excess over 20 per cent was to be halved, and after September 30, 1842, a flat rate of 20 per cent was to prevail. Considerable additions were also made to the free list, and it was provided that after the final reduction had been effected, all duties were to be paid in cash.37

Clay's later suggestion that duties levied after June 30, 1842, be based on "home valuation," or value of the article at the port of entry, was opposed vigorously on the complaint that such a procedure would cause a higher duty at southern ports, "New Orleans particularly," than at New York, where prices were cheaper.38 Thomas H. Benton thought that home evaluation would ruin the Louisiana port, and "that great emporium of the West will be doomed to sink into a mere exporting city."39 The Louisiana senators seemed less alarmed at such prospects, however, and when the amendment was carried, Johnston voted aye, Waggaman nay on the measure. 40 Other arguments, as well, were directed towards the Louisianians in an effort to swing their votes against the bill, and they were warned that in 1842 the sugar duty would fall to but a half cent:

The parties have pledged themselves that this bill shall be permanent; if so, what will become of the sugar plantations? and yet the Senators from Louisiana vote for this bill, which will bring ruin on the sugar planter, under the vain hope held out to them by the Senator [Clay] that a reaction will happen. Not reflecting that they by their vote allow that the planters can sustain themselves against Cuba with a protection of little more than half a cent per pound. No reaction can help them.41

While Clay was thus busy in the Senate, affairs had been dragging in consideration of the Verplanck bill in the House, and protectionists were confident that the session was too far along for actual passage of the measure. Consternation reigned in their now unorganized ranks, therefore, when Robert P. Letcher of Kentucky, a close personal friend of Clay, moved to

³⁷ Ibid., 690-691. The date of the biennial reductions was subsequently changed to December 31, and the final reduction was to be made after June 30, 1842. See ibid., 694. The bill was also amended later so as not to apply the final 20 per cent duty on those articles which had been carrying smaller duties previously. Ibid., 692.

³⁸ Ibid., 694.

³⁹ Ibid., 715.

⁴⁰ Ibid., 716.

⁴¹ Ibid., 706.

strike out the whole Verplanck bill and substitute the Clay compromise proposal, not yet passed in the Senate.42 With astonishing speed, and before the protectionists could gather their forces, the substitute bill was pushed to engrossment on the very afternoon presented, and accepted by the House on the day following.43 White, Bullard, and Thomas cast a unanimous Louisiana vote in its favor.44 Identical with Clay's compromise proposal, the House measure was reported to the Senate on February 27, where, despite the previous dire warnings, Johnston and Waggaman joined a majority of their fellow legislators in approving the new tariff plan.45

In the proceedings which led to the Compromise Tariff of 1833, therefore, the Louisiana delegation had seemingly deserted the protective system. But 1833 was no ordinary year, nor was the bill just passed an ordinary tariff measure. It had been accepted, whatever its economic values, in the firm belief that only thus might the Union be saved. That such was the position of the Louisiana congressmen was confessed by old General Thomas in a letter to his constituents:

It appeared that modification of the Tariff was the only means of preventing a dissolution of the Union. Various plans, each partaking, as far as possible, of a conciliatory disposition towards the conflicting interests of our extensive territory, were proposed, and finally that one which was thought the least objectionable was adopted.

The amended tariff was voted for by the entire Southern delegation, under the impression, of course, that it would be acceptable to their constituents. We had but a short time for reflection, which prevented us from attending to the private business of our constituents. . . . we entertain the gratifying reflection, that by concession and compromise between members of the same family, we have saved the Union.46

Interest in compromise measures had been aroused in Louisiana with the first meetings of Congress in December. The Louisiana Advertiser commended President Jackson's tariff viewpoint. 47 and the Louisiana Courier greeted announcement of Clay's

⁴² Ibid., 1772.

⁴³ Ibid., 1810; Thomas H. Benton, Thirty Years' View (New York, 1854), I, 311.
44 Congressional Debates, 22 Cong., 2 Sess., 1810.
45 Ibid., 809. The entire Louisiana delegation in both houses also voted for the Force 45 Ibid., 809. The entire Louisiana delegation in both hosbill. Ibid., 688, 1903.

48 Baton Rouge Gazette, March 6, 1833.

47 New Oreans Louisiana Advertiser, December 27, 1832.

proposed bill as an admission of the failure of the American System. 48 Passage of the tariff found opinion somewhat divided in the state. The committee of the legislature to which had been referred suggestions of New Jersey, Ohio, and Alabama that a constitutional convention be held to settle the tariff controversy. expressed its disapproval of such action and reported:

In conclusion, your committee cannot but express the confident hope, that the law which has lately passed in Congress and received the sanction of the executive, providing for a gradual reduction of duties, will tranquilize the public mind, restore harmony, and satisfy the most clamorous that it is totally unnecessary at the present time to call a federal convention.49

Less sanguine, however, were those who feared that the compromise was a concession to South Carolina which would result in nothing but disaffection in the North and economic insecurity throughout the country. The Baton Rouge Gazette commented: "We find no new principle in it, but a gradual process of reduction, that shall effect in seven years what Verplanck's would have done in two." Compromise with "traitors in arms," thought the Gazette, would do no good, and only result in "a greater evil . . . than the delusive excitement which is thus to be guenched."50

By far the greatest agitation to center around the Compromise Act did not appear in Louisiana until the approach of the gubernatorial election of 1834. White was the candidate of the new Whig party, a coalition of National Republicans, pro-Bank Jackson men, and all those dissatisfied with the Administration's attitude toward, among other things, the tariff, internal development of the state, and improvement of the mail service. 51 Opposing White was General John B. Dawson, candidate of the Democratic faction in the state. The campaign was a bitter one in which party lines were taut, and more than one issue was before the people, 52 but always looming large in the political battle was the question of White's support of the Compromise Tariff while a member of Congress in 1833. By the time the state elections drew near, nullification had been peacefully settled, the Union

⁴⁸ New Orleans Louisiana Courier, February 26, 1833.

⁴⁸ New Orleans Louisiana Courier, February 26, 1853.

49 Louisiana House Journal, 11 Leg., 1 Sess., 103.

50 Baton Rouge Gazette, March 9, 1833.

51 Norton, "Whig Party in Louisiana," 87-89.

52 White, for example, was charged by the Democrats as being a tool of Senator Alexander Porter and the "aristocratic" element of the state. See Wendell H. Stephenson, Alexander Porter, Whig Planter of Old Louisiana (Baton Rouge, 1934), 81-87.

was still intact, and the legislation which had effected that settlement could be assailed with little danger. In placing Dawson's name before the public in August, 1833, therefore, the New Orleans Bee began to clamor that "Our sugar planters were made victims during the last Congress to a perfidious policy,"53 and White was soon being charged with having deserted the interests of Louisiana to curry favor with Clay:

Edward D. White voted in the last Congress for the reduction of the duty on sugar, by which the local industry of our State was in a measure, paralized. Why did he so? Did his constituents authorize him to concede their rights and privileges upon a point of such immense magnitude? How dared he consult his own inclinations to propriate the favor of Mr. Clay, at the expense of his fellow citizens, whose interests, for the purpose, he shamefully compromitted and sacrificed? If his conduct upon this occasion does not furnish strong grounds for the belief that he not only merely "pitied the unfortunate South Carolinians," but approved of the object of their treasonable attempts, we are at a loss to account for the motive that induced him to act in a manner, as far at least as the wishes of his constituents were concerned, so discreditable and improper.54

White was assailed as an ally of Calhoun and McDuffie, "men who essayed to induce the government to break its faith with our state,"55 and Democrats pledged their support to Dawson "because we entertain an abiding hope that he will never desert the interests of the country to truckle to political combinations which may be foreign to its prosperity."56 It was said that White had converted his sugar plantation to cotton as an escape from the effects of his own duplicity, since it was now evident "that we are entirely dependant upon a mere majority in congress for the continuance of the duty [on sugar], and consequently our prosperity is entirely at their disposal."57

In answering charges of the pro-White Louisiana Advertiser that Dawson was an antitariff man, the Bee maintained that if by "tariff" was meant the sugar duty, the allegation was false, because common sense would force Dawson to support "that specific act which gives value to the most important staple

⁵³ New Orleans Bee, August 9, 1833. See also the editorial against White which appeared in the St. Martinsville Attakapas Gazette, reprinted in the New Orleans Merchant's Daily News, February 22, 1834.

54 New Orleans Bee, December 31, 1833.

55 Ibid., January 29, 1834.

56 Ibid., June 9, 1834.

57 Ibid., June 17, 1834.

of the State." White, on the other hand, said the Bee, had been led to vote for the Compromise Act simply to please "his master Henry Clay." But aside from the sugar duty,

If by the term tariff as employed by the Louisiana Advertiser be meant that general system or Code of Revenue laws, which was to destroy the equality between the Eastern and Western, the Northern and Southern sections of the United States, so as to render the Southern and Southwestern portions of our country subservient to the New England states—to wring from commercial industry its hard earnings -to build up Henry Clay's tottering footsteps up to the presidential chair, and to fill the Treasury of the United States with a surplus accumulation, to be hereafter employed (when Henry Clay shall be president) in enabling him to fulfill his favorite maxim, "give us patronage and we will make ourselves popular."

If that is the tariff to which the Louisiana Advertiser refers, we are proud to say that "John B. Dawson is opposed to the tariff."58

And just to keep the subject ever under consideration, a running line appeared in the masthead of the Bee from April 21, 1834, to the end of the election: "Things to be remembered at the Polls. Remember, that Edward D. White voted in favor of a law, calculated to bring distress and ruin upon the great flourishing interest of our State."59

White, of course, was not without support, especially in the columns of the Louisiana Advertiser. Early in January, 1834, one "Justice" wrote:

The Bee persists in making it a crime and treason on the part of Edward D. White for having voted for the reduction of the duty on sugar.

Does the Bee, and the supporters of J. B. Dawson, pretend that all those who were in favor of that measure are equally criminal, and traitors? If so, what portion of the crime and the treason justly belongs to their idol, Andrew Jackson, who recommended and approved the measure, by which the local industry of those who so largely contributed to his glory, has been in a manner paralyzed. 60

The Baton Rouge Gazette, as well, approved White's action in having come "forward, as did the other representatives of this state," to vote for the Compromise Act when "anarchy and civil

Ibid., May 31, 1834.
 Ibid., April 21-July 9, 1834.
 New Orleans Louisiana Advertiser, January 1, 1834.

war threatened the fair fabric of liberty." Nor did the Gazette, despite its previous forebodings, envision any ruin to Louisiana industry:

Mr. White gave his vote in favor of a gradual reduction of the duty on sugar, so judiciously adapted to the interests of the planter, as affording a sure guarantee, that the great staple commodity of the state, should not be unwantonly struck down by nullification edicts, or treasury construction. The duty was, therefore established upon a permanent basis, and on which the planter can rest with security against all further attack of the non-committal policy of political stipendaries.⁶¹

The election resulted in a complete victory for the Whigs, White defeating Dawson decisively and members of the new party gaining majorities in both houses of the legislature as well as two out of three congressional seats. Once again the sugar and nonsugar parishes remained true to traditional party lines: Dawson carried such cotton territory as St. Tammany, Pointe Coupée, West and East Feliciana, Natchitoches, Rapides, Catahoula, Livingston, St. Helena, Washington, Carroll, and Concordia parishes; White swept such sugar areas as St. Bernard, Jefferson, St. Charles, St. James, St. John, Iberville, Ascension, Assumption, Lafourche, Terrebonne, St. Martin, St. Landry, and St. Mary.

So bitter had been the controversy over the Compromise Act and so important was the bearing of the Act on the industry of the state, that White felt it necessary to explain his vote upon the measure. This he did during his inaugural address in 1835. The country had been in great peril during 1832-1833, said White, when Clay introduced his compromise proposal, including reduction in the duty "affecting the principal agricultural product of our own State." The Louisiana delegation

believed that a palpable discrimination existed between this and other articles, and that there were abundant reasons, both in justice and policy, why it should be exempted from the indiscriminate proscription leveled against the tariff generally: our remonstrances were unheeded. As a component part of a system it had to abide the fate of the whole.

⁶¹ Baton Rouge Gazette, June 14, 1835.

⁶² New Orleans Bee, July 17, 1834. Henry Johnson (Whig) defeated Thomas C. Nicholls and Charles Gayarré in the First Congressional District; E. W. Ripley (Democrat) won over Thomas W. Chinn and Clark Woodruff in the Second; and Rice Garland (Whig) defeated Joseph Walker in the Third.

⁶³ Ibid.

White admitted that "the friends of domestic industry" had hoped that by compromise at least some protection might be salvaged, and continued:

After mutual consultation, your representatives came to the conclusion, that as they could not avert the wrong, it was best for them to do as your Senators subsequently did, record their votes in favor of the bill. . . .

That the measure which was adopted was inexpendient, as regards the nation at large and unjust in relation to ourselves, I believed then, and am of the same opinion still. On the other hand I feel an abiding assurance, that under the bounteous dispositions of providence to our soil, and by the skill and energy inherent in the character of our people, their happiness and prosperity, however it may be temporarily affected by any vacillating policy which we cannot control, must eventually rise superior to and stand independent of the precarious issue of a vote in Congress.64

With the Compromise Act in effect for better or for worse, the tariff issue became more or less relegated to the background in Louisiana politics in the years immediately after 1835. The Bee issued periodic warnings of the disaster which would accompany any further reduction of the sugar duties,65 but little excitement attended the state elections of 1836. The Whigs were apathetic, and Democrats, securing a majority in the legislature, named Alexander Mouton to succeed Alexander Porter in the national Senate.66 Chief interest seemed to center around the dispute between Whigs and Democrats over censure of President Jackson for removal of the deposits, a controversy heightened by the President's charge that Louisiana senators were responsible for neglect of the New Orleans mail service. 67

Slavery became a paramount subject of discussion in the presidential election of 1836, the Democrats branding the Whig nominee, William Henry Harrison, as an abolitionist, 68 and the southern candidate of that party, Hugh L. White, as avowedly hostile to the sugar industry of the state. 69 The Whigs based their campaign on charges that Democratic leadership had resulted in chaotic economic conditions and bank failures, but were unable

⁶⁴ Baton Rouge Gazette, February 14, 1835.
⁶⁵ New Orleans Bee, November 17, 19, 30, December 1, 1836.
⁶⁶ Norton, "Whig Party in Louisiana," 106-108.

⁶⁷ Stephenson, Alexander Porter, 93-94.
⁶⁸ New Orleans Bee, August 1, 1836; New Orleans Louisiana Courier, June 12, 1840.
⁶⁹ New Orleans Bee, August 1, 1836; New Orleans Louisiana Courier, September 15,

to defeat Martin Van Buren, who carried the state by approximately 300 votes. Despite the antitariff charges levied against White, he managed to win most of the sugar parishes, especially in the Third Congressional District.⁷⁰

There were occasional flurries of interest in the tariff question in 1837. Early in that year John Slidell presented a resolution in the state legislature calling for Louisiana's senators to be instructed "to sustain such a course of policy, as will without conflicting with the principles of the compromise contained in the tariff Act of March 2nd, 1833 tend to reduce the revenue of the United States to a level with its expenditures and thereby prevent for the future the unnecessary accumulation of surplus funds in the treasury." With but little discussion, the resolution was rejected, 23 to 18.71 A suggestion in the same year by the Committee of Ways and Means in the national House of Representatives that the tariff be further reduced, called forth mixed approval and condemnation by the Bee. It was agreed that a decrease could be effected in the national revenue, but the claim of the committee that protection of Louisiana sugar had cost consumers over \$76,000,000 since 1803 was considered "so egregious that we are almost induced to believe that it is not involuntary." Once more the reading public was instructed that the sugar tariff was in effect for revenue only,72 which, of course, was slight enough defence against a measure based on the assumed necessity of reducing the national income.

With continual decrease in the tariff rates on sugar, and prospects already evident of the ruin which would descend upon the state's industry when the final 20 per cent levy was put into effect, demands in Louisiana for an increased tariff schedule began to gain force and number in the late 1830's and early years of the new decade. The Compromise Act, from all accounts, had come "upon the poor Sugar Planter as a clap of thunder," arresting the spread of his culture and turning a great number of sugar estates into cotton fields. Plantations had been "forced upon the market, at one-half and even one-third of their original cost, and in no few cases, turned into pasture grounds, the slaves thereto

⁷⁰ Norton, "Whig Party in Louisiana," 123-126.

⁷¹ Louisiana House Journal, 13 Leg., 1 Sess., 20.

⁷² New Orleans Bee, February 13, 1837.

⁷³ Forstall, Agricultural Productions of Louisiana, 31. For expression of the difficult position of the sugar planters in the early 1840's, see the various letters of the period in the Consolidated Association of Planters of Louisiana Collection (Louisiana State University Archives).

attached being sold to a more favored industry."74 More than "one-half of the sugar estates still existing in 1842, had been gradually sinking into insignificance, from the want of means or credit on the part of their owners to work them."75 Those who had once seen "the time when cotton was abandoned for sugar," now looked upon a period "when the contrary had arrived; sugar was deserted for cultivation of cotton. One hundred and sixty-six sugar plantations had ceased to work; cotton alone was destined to save Louisiana."76 One contemporary gave a striking picture of the workings of the Compromise Act upon the sugar planter:

The effect of such legislation on the sugar interest was fatal—it at once destroyed the credit of all those interested in it as effectually as if war and pestilence had been raging over the whole of the sugar parishes. Money lenders believed then that great interest, involving a capital of \$50,000,000, doomed to complete annihilation as effectually as if the horizontal plan [the general 20 per cent rate], so much dreaded, had been put into operation, on the very day the Bill was passed, and it was thus that the sugar planters found themselves suddenly thrown upon their own resources, or at the mercy of their creditors.

A very large number of them were soon compelled to return to the culture of cotton, leaving their expensive sugar works a dead weight to them. More than one-half of the remaining estates were obliged to turn a portion of their cane fields into corn fields, in order to raise provisions they had no longer the means to buy. More than two-thirds of them were deficient in grinding power or in hands to clear and drain their lands, and but for the charter of the Citizens' Bank in 1836, a sweeping mutation would have taken place in the ownership of sugar estates. The sugar planters in this last Bank represent 40,000 shares, which enabled them to obtain a loan at 50 years of \$2,000,000 (on the re-imbursement per annum of two per cent. and the payment of 61/2 per cent interest) but for this aid, few, if any of them, would have been able to withstand the revulsions of 1837, which only terminated in 1842, and then found them, from want of means or credit to work properly their estates, verging towards absolute ruin.77

Confident that all their woes could be laid at the door of the Compromise Tariff, planters bemoaned an "unwise measure" but

⁷⁴ Forstall, Agricultural Productions of Louisiana, 3.

⁷⁶ Debouchel, Histoire de la Louisiane, 164.
77 Forstall, Agricultural Productions of Louisiana, 7.

for which "thousands of acres of land now idle . . . would be groaning under the cane."78 With conviction widespread that further action of the law could not "fail to annihilate this important branch of national industry,"79 various agencies began a concerted campaign to re-establish more favorable tariff rates on sugar. On March 16, 1840, a resolution presented in the state House of Representatives called for appointment of a committee to consider "the propriety of taking some steps in relation to the duty on sugar, and of recommending to congress the expediency of reviving the duty on that extensive and immensely valuable staple of the State of Louisiana, and if necessary to draft resolutions in relation to the said application to congress, with the reasons and arguments upon which said application is based."80 The resolution was adopted, 26 to 8,81 presented to the Senate, and speedily accepted by that body.82 A memorial was dispatched to Congress soon after, reviewing the usual Louisiana arguments in favor of protecting sugar, and praying for a restoration of the 3 cent duty of 1816. As for the tariff of 1833, it was maintained that "whilst the gradual reduction of the tax on foreign sugars, as required by the compromise tariff, is operating the ruin of the sugar interest in this State, the object of the compromise, to wit: a diminution in the current price of the commodity, cannot be attained, if by that reduction the planters of Louisiana are compelled to abandon the culture of the cane."83

In January, 1841, Governor Roman, reminding the legislature that the "expiration of the time stated in the compromise bill" was at hand, suggested that the need for additional revenue gave excellent grounds for Louisiana to petition Congress once more for restoration of the duties of 1816 "to save us from being ruined by foreign competition."84 The Senate seems to have considered the recommendation,85 but there is no record of any new memorial being adopted.

By 1842 impending disaster was so close to the Louisiana industry that a convention of sugar planters from over the entire state met at Donaldsonville on May 16 to petition Congress

 ⁷⁸ New Orleans True American, December 11, 1839.
 79 Baton Rouge Gazette, June 4, 1832.

⁸⁰ Louisiana House Journal, 14 Leg., 2 Sess., 101.

⁸¹ Ibid.

⁸² Louisiana Senate Journal, 14 Leg., 2 Sess., 71. 83 House Report, No. 461, 27 Cong., 2 Sess., 62-64. 84 New Orleans Louisiana Courier, January 5, 1841.

⁸⁵ Louisiana Senate Journal, 15 Leg., 1 Sess., 59, 77.

for protection and aid, not only for their own staple but for all domestic industry.86 It was only after the tariff of 1833 had brought them to the verge of ruination, they claimed, that they now approached Congress with prayers for succor in behalf of an industry in which \$52,000,000 had been expended. Free trade was reviled as having brought unprecedented ruin and desolation to every branch of industry throughout the country, and figures were cited to prove that in 1840 the United States had lost \$8,990,260 in specie to the Dutch and Danish West Indies, Cuba, the Philippines, Brazil, and various Spanish islands, simply because by importation of vast amounts of their sugar, the balance of trade had been tilted in their favor. Such unfavorable conditions might easily have been avoided, argued the planters, if Louisiana had been allowed to continue the expansion of her industry which had been stifled by the Compromise Act. Repeating the time-tested points that ruination of the sugar planter would mean larger cotton production, loss of Louisiana markets to all other sections, and dependence on foreign sources for a necessary of life, the petitioners informed Congress that nothing but a reversion to the 3 cent duty could avert such calamity.87

In such a setting did the tariff reappear as an important factor in Louisiana politics. Seizing upon the economic chaos of 1837 to good advantage, the Whigs had heaped deprecations upon the heads of Democrats as the authors of the financial depression into which the nation had slipped. Abolition of the National Bank and the protective tariff by the Jacksonians was hailed as the unmistakable cause of panic, and the Whigs swept to victory in the state elections of 1838. Aside from naming A. B. Roman governor, the party placed White, Thomas W. Chinn, and Rice Garland in the three congressional seats and attained a majority in the legislature.88 Again in 1840 the Whigs were given a landslide victory, White and John Moore winning places in Congress, with only one Democrat, General Dawson, joining them in the House.89 This wave of anti-Democratic feeling in Louisiana was expressed likewise in the 1840 presidential elections, Harrison carrying the state by a 3,849 vote majority, even gaining the support of such Democratic strongholds as the

⁸⁶ Senate Document, No. 334, 27 Cong., 2 Sess., 1. 87 Ibid., 1-6. 88 Norton, "Whig Party in Louisiana," 127-132. 89 Ibid., 147-149; Baton Rouge Gazette, July 25, 1840.

cotton parishes of Washington, Caddo, Avoyelles, Rapides, Madison, and Concordia.90

With the election of a Whig president, hopes were quickly revived that the Compromise Tariff would be overthrown, and the Bee, recently converted to the Whig cause, hailed the "plain indications that the Louisianians are about to marshal their energies for such an augmentation of the sugar duties as will effectually protect" their staple. 91 But Harrison was soon in his grave, to be succeeded by John Tyler, a Democratic-minded president at the head of a Whig administration. Tyler was open in his convictions that the Compromise Act "should not be altered, except under urgent necessities, which are not believed at this time to exist."92 Chagrined and angered by this seeming "betrayal," many of the Whigs turned against Tyler and split their party ranks wide open. In Louisiana some members of the organization remained loyal to the President, while others assailed his every move, 93 and Democrats began to applaud the tariff policies of the Executive. At a meeting in Iberville, members of the latter party injected the tariff question into the approaching gubernatorial campaign by proclaiming that they deemed "a Tariff for purposes other than revenue, unauthorized by the Constitution; and that the South had an earnest, in the recent vote of the House of Representatives, to exclude the planters of cotton and sugar from even an incidental protection, of the principles which influence the advocates of a protective tariff."94

So the issue was once more before the people, to occupy a prominent place during the campaign of 1841-1842. leteers again began to appeal to the public for support of the tariff, special reference being made to Louisiana's great interest in the matter.95 To the charge that "Our Cotton planters . . . are

⁹⁰ Baton Rouge Gazette, November 14, 1840.

⁹¹ New Orleans Bee, January 30, 1840.

⁹² Nichardson (ed.), Messages and Papers of the Presidents, IV, 43. Moore was even fearful that attempts would now be made to push the tariff rates below the Compromise schedule, and seriously considered advising sugar planters to enter rice cultivation. See the rough draft of a letter from Moore to C. Zeringue, New Orleans, May 11, 1841, and Zeringue's reply, New Orleans, May 17, 1841, Weeks Collection.

⁹³ New Orleans Bee, December 20, 1841. The Whigs of the state, for example, split into Tyler and anti-Tyler camps over the election of Randall Hunt to the legislature. New Orleans Louisiana Courier, October 1, 26, 27, 1841. Disaffection in the Whig ranks was not confined to Louisiana, of course. In the Senate, Henry Clay was giving clear notice of his claim to leadership in the party, and Tyler's wishes on most points were completely ignored by men who had supported Harrison. See Oliver P. Chitwood, John Tyler, Champion of the Old South (New York and London, 1939), 213.

⁹⁴ New Orleans Louisiana Courier, October 27, 1841.

⁹⁵ An extensive protariff essay entitled "Louisiana and the Tariff" appeared, for ample, in various Whig papers and pamphlets. See the New Orleans Morning Adverti November 4, 1841, and Forstall, Agricultural Productions of Louisiana, 25-32.

averse to a high tariff, under almost any pretext,"96 Whigs answered that a "reasonable tariff will redound to the interest of the Cotton planter" because "it may be shown that the Compromise Act has caused a dull market and low prices on all commodities, cotton included."97

Pointing again to the economic distress of the times, the Whigs proclaimed that "A judicious tariff is the first measure for relief. It is a sina qua non. Without that, all others must be futile."98 The Clay Club of New Orleans addressed the voters of the state:

Amongst the specious disguises in which foreign influence assails the interest of our common country—perhaps the most pernicious as it is the most deceptive is that of "free trade".... We have now comparatively no tariff—we may be said to be in the open sea of free trade: and yet do we discover the promised land of happiness? Are we approaching it? Are there any indications of the shore? None! . . . We would ask what class of men is elevated by the common depression. Rich men have been made poor, but have not poor men been made poorer?99

Throughout the state the cry was taken up: "Never before have the necessaries or luxuries of life been at so low an ebb, never could a little coin purchase a larger supply of food—and yet we have never seen the day when a living was with more difficulty procured."100 Meetings of planters in St. James and West Baton Rouge parishes called for renewal of prosperity by re-enactment of high tariff duties, 101 and the Bee warned sugar planters that to vote for an antitariff governor would make their appeals for protection ridiculous. 102

Although not neglecting the tariff issue, 103 the Democrats planned their campaign along other lines. In 1842 a Bank bill had been enacted to relieve financial distress in the state. 104 but the measure had failed miserably and the Democrats now charged that all economic depression was caused by this law, which had been passed during a Whig regime. 105 Moreover, Henry Johnson,

pe New Orleans Louisiana Courier, December 16, 1841.
pr Baton Rouge Gazette, July 16, 1842.
ps Ibid., July 30, 1842.
ps New Orleans Bee, May 14, 1842.
ps New Orleans Bee, May 14, 1842.
ps New Orleans Gazette, May 28, 1842. See also the New Orleans Bee, May 2, 1842.
ps New Orleans Bee, June 8, 1842.
ps New Orleans Bee, June 8, 1842.
ps New Orleans Louisiana Courier, June 4, 1842.
ps Acts of Louisiana, 15 Leg., 2 Sess., 34-62; Stephen A. Caldwell, A Banking History of Louisiana (Baton Rouge, 1935), 64-68, 71-82.
ps Norton, "Whig Party in Louisiana," 193-197.

the Whig candidate, had already held office once before, and it was argued that the Democratic nominee, Alexander Mouton, should be chosen to guarantee the "rotation in office" principle. 106

Despite Whig protestations that the Bank bill had been forced through by Democratic influence, ¹⁰⁷ Mouton was swept into office with 9,669 votes as against Johnson's 8,104. White, Moore, and Dawson were re-elected to Congress, and the Whigs maintained a bare majority in the state legislature. ¹⁰⁸ The crestfallen losers blamed for the defeat the apathy of their city members; the popular appeal of the Democratic call for a new state constitutional convention to liberalize the suffrage; the failure of the Bank bill; ¹⁰⁹ and the ability of their opponents to make the voters believe "that the whole embarrassment of the country was attributable to the Whigs." ¹¹⁰ Their cup of bitterness was not yet full, however, as events of the next year were to indicate.

The United States in 1841 was faced with a major financial crisis. Revenues were falling rapidly because of the Compromise Tariff, and President Tyler reported to the extraordinary session of the Twenty-Seventh Congress which convened in May that from all estimates the government would lack \$4,845,000 of the funds necessary to meet the appropriations for the ensuing year. 111 Congress, giving little heed, simply passed a measure levying a duty of 20 per cent on most goods then enjoying a place on the free list, 112 preferring to spend its time in discussing Clay's distribution bill. A favorite plan of the Kentuckian, the distribution enactment, which was to play such a great part in the tariff debates of the next year, provided for dispersing to the states the net proceeds of the sale of public lands. 113 Certain in the knowledge that Tyler would veto any measure causing a further need for increased revenues, the Whigs tacked on to the bill a proviso which forbade distribution of the proceeds whenever it was necessary to violate the Compromise Act by raising

¹⁰⁶ Opelousas Gazette, June 11, 1842.

¹⁰⁷ Ibid., July 2, 1842.

¹⁰⁸ Baton Rouge Gazette, July 16, 30, 1842; New Orleans Louisiana Courier, July 5, 1842.

¹⁰⁹ New Orleans Bee, July 12, 1842.

¹¹⁰ Opelousas Gazette, July 9, 1842.

¹¹¹ Richardson (ed.), Messages and Papers of the Presidents, IV, 43.

¹¹² Congressional Globe, 27 Cong., 1 Sess., 266, 271. Sugar was narrowly rescued from being placed on the free list during debate on the bill. Ibid., 442-444.
113 Ibid., 89.

duties above 20 per cent, and in such form was the measure accepted by the President.114

Conditions were not at all improved when Congress met in December for its regular session. Indeed things were worse, there being ample justification for fears that in a few months the country would be without any revenue system at all. Congress having failed to make any regulations for putting into effect the "home valuation" clause of the tariff of 1833, it was believed by many that when July 1 arrived customs officials would have no legal right to collect duties. 115 The whole tariff problem was referred to the Committee on Manufactures, which on March 31, 1842, reported through Chairman Leverett Saltonstall of Massachusetts a new tariff bill,116 calling for a general ad valorem duty of 30 per cent on practically all merchandise. 117 A few days later the Committee of Ways and Means, considering the question of the finances, also reported a new revenue measure through its chairman, Millard Fillmore of New York, advocating a virtual return to the tariff of 1832.118

With the period rapidly approaching when the "home valuation" clause was to go into effect, Fillmore reported a "little tariff" bill to extend the then existing rates to August 1, 1842, but attached to the measure a proviso which would prevent the extension of the rates from affecting the distribution of the proceeds. 119 Despite great hue and cry raised by the Democrats over this "violation" of the proviso of 1841, the bill was passed in the House, Dawson opposing it, Moore and White voting aye. 120 In the Senate the bill was amended so as to suspend distribution until August 1, Alexander Barrow and Charles M. Conrad, both Louisiana Whigs, giving their approval. 121 The House concurring. the measure was rushed to the President, only to be promptly vetoed because of its distribution clause. On the unsuccessful vote to override the veto, Moore and White again supported the bill, Dawson continuing his opposition. 122

¹¹⁴ Stanwood, American Tariff Controversies in the Nineteenth Century, II, 15-17. Louisiana's Whig Congressmen Moore and White joined Whig Senator Alexander Barrow in voting for Clay's measure, while Democratic Senator Mouton and Congressman Dawson opposed it. See Congressional Globe, 27 Cong., 1 Sess., 407, 438.
115 Congressional Globe, 27 Cong., 2 Sess., 616.

¹¹⁶ Ibid., 378.

¹¹⁷ House Report, No. 461, 27 Cong., 2 Sess., 8.
118 House Document, No. 209, 27 Cong., 2 Sess., 25.
119 Congressional Globe, 27 Cong., 2 Sess., 615.

¹²⁰ Ibid., 637. 121 Ibid., 679. 122 Ibid., 717-719.

Fillmore's general tariff bill now coming up for consideration, a section was attached which repealed the proviso to the Distribution Act of 1841, and following routine arguments pro and con, it passed the House, 123 the Louisiana congressmen managing to defeat the usual attempts to reduce the sugar duty, which thereupon remained at 2½ cents.124 On the final vote Dawson voted nay, Moore and White in favor. 125 Debate in the Senate hinged upon the repeal of the 1841 proviso. When the measure was finally pushed through, it received the votes of both Barrow and Conrad. 126 Tyler vetoed the proposal just as promptly as he had disposed of the "little tariff," denouncing it as "both a revenue and an appropriation bill,"127 and the country was still without a revenue law. Nor was Congress able to override the veto, despite the efforts of John Quincy Adams, who poured vituperations upon the head of Tyler.128 The Louisiana vote on the veto was identical with that cast on Tyler's rejection of the "little tariff."129

Finally Thomas P. McKennon of Pennsylvania introduced Fillmore's tariff bill divested of the distribution clause, the House almost rejected it, then, in a burst of confusion and disorder, accepted it by a very close vote. Dawson was continually against, White and Moore always for, the measure. 130 The Senate agreeing to the bill, it was sent to the President with the approval of both Louisiana Senators, soon to become law. 131

Although the sugar duty had been the butt of routine attack as a bounty to a privileged few, 132 exceedingly high, 133 and harsh on the poorer classes, 134 the most dramatic and dangerous battle during the course of the bill through Congress was that between the interests of the Louisiana planters and those of the refiners. Attached to Saltonstall's report, early in the tariff proceedings, had been a memorial from a number of sugar refiners attempting to prove that from 100 pounds of sugar, one third white Havana and two thirds brown, 51\(\frac{1}{3}\) pounds of the refined product might

¹²³ Ibid., 762. 124 Ibid., 750, 758, 759. 125 Ibid., 762.

¹²⁶ Ibid., 852. 127 Ibid., 867.

¹²⁸ Ibid., 877. 129 Ibid., 906.

¹³⁰ Ibid., 924.

¹³¹ *Ibid.*, 960. 132 *Ibid.*, appendix, 563.

¹³³ Ibid., 686. 134 Ibid., 727.

be made. The refiners would thus have to pay \$1.12 (at 20 per cent ad valorem on 100 pounds of raw sugar), while English refiners paid only 62 cents on imported refined sugar of the same amount selling at 6 cents a pound. To compensate for this difference, the refiners requested a drawback of $3\frac{1}{4}$ cents on each pound of refined sugar exported.¹³⁵

In Washington at the time, however, was Edmund J. Forstall, a Louisiana expert on sugar culture. When, shortly after the request of the refiners, "bushels of this Report, in print were to be found in every part of the House," Forstall immediately gave White information to show that the figures of the manufacturers were inaccurate and out of date, a hundred pounds of raw sugar producing seventy-five pounds of refined merchandise, ten pounds of "bastards," ten pounds of "sugar-house molasses," and five pounds of dirt. ¹³⁶ In the words of Forstall:

On the last day of the discussion, it was perceived that, by the wording of the section relative to sugar, brown clayed Surars had been omitted and that the duty thereon, falling under the denomination of non-enumerated articles, would be 20 per cent ad valorem, or about 5/8 of a cent. This would have been fatal to the Treasury. Quebrado Sugars, which form by far the largest portion of the Cuba crop, at 5/8 of a cent duty, and the drawback on refined goods at 31/4 cents!!!

Both parties in Congress were determined, however, not to change the reading of the bill, but to "pass or reject" it. "The danger was imminent," Forstall later recalled, when the President directed him to see the Treasurer "on matters of vital importance to this State." Told that the act would be applied as worded, and with the last vote about to be taken, Forstall "hastened to the House and addressed a note to Mr. E. D. White, with a statement of the workings of the section, if passed as worded." White immediately arranged for a "verbal correction" to the bill, and brown clayed sugars were placed in the same classification as white clayed. 137

During the entire passage of the new tariff act through Congress, interest in the proceedings was running high in Louisiana. Washington correspondents of the Louisiana Courier warned re-

¹³⁵ House Report, No. 461, 27 Cong., 2 Sess., 64-65.

¹³⁶ Franklin Planters' Banner, December 6, 1845.

¹⁸⁷ This account is based on Forstall's own version, as reported in *ibid*. His statements are seemingly corroborated by representatives of the *Louisiana Courier* in Washington at the time. See New Orleans *Louisiana Courier*, September 5, November 10, 1842. It is impossible to confirm the details by reference to the *Congressional Globe*. Reports of the tariff proceedings of 1842 are confused, vague, and incomplete at best.

peatedly that the sugar planters were being sacrificed to the refiners, to "pay dearly for our alliance with the selfish, rapacious, cold-hearted party of abolitionists, whigs and ultra-tariff men, and in the meantime we have disgusted out natural allies, the Northern and Southern Democrats—who were prepared to give to our sugar as much protection as we could reasonably desire in the shape of a duty for revenue." Democrats of the state charged Conrad and Barrow with deserting the interests of the sugar planters to support Clay and Whig policies, inquiring, "What is the miserable pittance to be derived by the people of Louisiana from the proceeds of the public lands, compared to the millions and millions which will be sacrificed by the repeal of the sugar duty." 139

As for this question of distribution, even the Whig members of Congress from Louisiana had decided that it was far wiser to surrender \$300,000 from the public land proceeds, than to lose a \$2,000,000 protection of Louisiana sugar. Alexander Porter, staunch Whig that he was, agreed on that, as he wrote to J. J. Crittenden from White Sulphur Springs in July, 1842:

Will the people bear the postponement of proper legislation on the first [the tariff], for the sake of the land bill? I doubt it—my doubts amount almost to conviction they will not. Their sufferings are immediate and pressing for want of a tariff. Their pockets, and in many instances their sustenance depends upon its adoption. Would they be willing to forego the advantage it could offer, for the distant benefits they would receive from the Land Bill? I fear they will not. And I think it would be better to postpone the distribution measure until we had less stringent times. I would infinitely prefer going before the people on that question with the tariff existing, than to try it with the angry feelings which the want of the latter will inevitably excite. 141

The new tariff act was greeted in Louisiana with mixed sentiments. Though the tendency of the Democrats was to look upon the measure "in its spirit and general scope" as "highly obnoxious," there were some locofocos who approved its "boon" to the sugar planters. The Whigs, on the other hand, were jubilant over passage of a schedule which would "be the means of raising

¹³⁸ New Orleans Louisiana Courier, July 25, 1842.

¹³⁹ Ibid., August 10, 1842.

¹⁴⁰ Ibid., October 14, 1842.

¹⁴¹ Quoted in Stephenson, Alexander Porter, 110.

¹⁴² New Orleans Louisiana Courier, August 3, September 8, 1842.

our sugar interests from its [sic] present awfully depressed condition—a condition produced of late years by the utter want of even a moiety of that protection which has been so lavishly extended to other articles of domestic interests."¹⁴³ The Bee congratulated "most truly and warmly" the "sugar planters of Louisiana on the prospect of the tariff, which will enable them to reap a substantial profit upon their outlay of capital, and secure to them so solid a remuneration for their industry."¹⁴⁴ Claiming that the new tariff had caused an immediate rise in prices and better trade, the Baton Rouge Gazette believed that "Even those cotton planters who have supposed a tariff would injure their prospects, will, on reflection, perceive that what gives a general spring to business of the country, must bestow benefits on them as well as others."¹⁴⁵

These expectations of advantages to be derived from the new act were soon in process of being realized. Writing in 1845, Forstall reviewed the great strides being made in the sugar industry following the swing back to protection:

The Tariff of 1842 was their [sugar planters] salvation; it at once restored confidence in that kind of property, enabled the planter to improve his sugar works, to clear and drain his lands, and to procure the necessary supplies for the working of his estate. Thousands of Irishmen were soon seen digging canals in all directions; engineers putting up new engines, or repairing old ones—masons, setting sugar kettles on improved plans—all kinds of improvements are now going on to hasten the growth, and to accelerate the maturity of the cane and its boiling into Sugar—many estates, these last three years, have more than doubled their usual yield. . . . Estates have advanced in value, this last year, 50 per cent. 146

In his statement of the sugar crops made in Louisiana in 1844, P. A. Champomier revealed that in seventeen parishes visited "367 cotton plantations... have been changed into sugar estates." At least twenty-five or thirty new establishments had just been laid out in three sections not listed, and in "the parishes of Rapides, Avoyelles, Calcasieu, Catahoula and Concordia, arrangements were being made for more than 200 new sugar plantations, but the most part of them have been suspended, and cotton

¹⁴³ New Orleans Bee, July 28, 1842.

¹⁴⁴ Ibid., September 1, 1842.

¹⁴⁵ Baton Rouge Gazette, October 1, 1842.

¹⁴⁶ Forstall, Agricultural Productions of Louisiana, 7.

will be mostly cultivated on them for another season, until the action of Congress respecting the tariff is ascertained."147 In "Pointe Coupée, West Baton Rouge, Iberville, St. Landry, Opelousas, etc.," the "appearance of the cotton caterpillar and the low prices of cotton" aided the tariff in inducing "many growers of this staple . . . to turn their attention to sugar."148 Such was the reinvigoration which had come to the Louisiana industry with the tariff of 1842, that J. D. B. De Bow was able to write early in 1846:

The manufacturers of the East have received new life and vigor; New England is covering her barren hills with workshops. Pennsylvania is developing the inexhaustible resources of her iron and her coal, and the rich cane fields of Louisiana are crowning with wealth the labors of her enterprising planters, and causing to start up, as if by magic, along the banks of the Mississippi, the costly mansion and the magnificent mill.149

With such a boon being bestowed by a Whig administration upon the industry of the state, it might have been expected that Louisiana would acclaim the party responsible, hasten to reward such service at the polls, and become an even greater disciple of the Whig cause. But other forces were at work which were to throw the state into the ranks of the Democracy. A tariff stronghold since 1830, Louisiana was rapidly moving back to old antiprotection sympathies, until by 1846 she could no longer be looked upon as a tariff state.

CHAPTER IV

THE SWING AWAY FROM PROTECTION

Although the Democrats had been strong enough in Louisiana to put Alexander Mouton in the gubernatorial chair in 1842, the Whigs had not only retained a majority in the legislature but had elected two of the state's three congressmen. The Reapportionment Act of 1842, however, had given Louisiana an additional seat in the national House, resulting in the call for a new congressional election in July, 1843. By that time, of course, the

 ¹⁴⁷ Ibid., 23. Not a single pound of sugar had been reported in these parishes in 1840, except in Calcasieu, where the yield was but 6,000 pounds. See Franklin Planters' Banner, November 15, 1845.
 148 [J. A. Leon], On Sugar Cultivation, in Louisiana, Cuba, Etc. and the British Possessions (London, 1848), 2.

¹⁴⁹ De Bow's Review, II (1846), 91.

¹ White and Moore. Dawson was the Democratic member-elect of the House.

new tariff of 1842 was law, and protectionism became a central issue in one of the hottest campaigns the state had yet seen.

Thoroughly aroused by overthrowal of the Compromise Act, more radical Democratic cotton growers began to rebel against the domination of the Whig sugar planters and to demand recognition of their own interests, whatever the results to the cane growers. As one of them explained it, if the sugar planter could be aided by incidental protection, he would be the last to say him nay,

But if I see my sugar planting brethren in LEAGUE with the HEMP-GROWERS OF KENTUCKY, to load down the cotton culture with most oppressive and intolerable burthens; and in LEAGUE, too, with the NORTHERN MANUFACTURERS, (the deadliest foe of SLAVE LABOR,) to crush our whole interests between the upper and nether mill-stone, by their unconscionable and despotic exactions—why its altogether another matter. My sympathies become all soured into resentments. I become a little wolfish, and I resolve in my own mind, that if the cotton interest must go down, it shan't be my fault if the sugar interest don't go down with it. . . . [When] such a disproportionate share of all my earnings have to go to the West and North . . . and when these intolerable wrongs to me, are brought about by the aid of Representatives, whom the sugar planters send to Congress, I own I lack the virtue to turn 'tother cheek to be smote.²

Other defenders of the cotton interests now began to look upon the old fear "that the sugar men will ruin the cotton growers by raising" that staple in place of their own, as "a miserable humbug." "Why, the 200,000 bales of cotton additional, with which we are threatened," they exclaimed, "to the 2,400,000 we now make, will have about the same effect on the prices as a man would be affected who had 21 horses to sell, and to whose drove 2 were added."

With the cotton growers turning against the sugar duty in such a manner, the tariff question fast became a rallying point for members of the opposing parties in the election of 1843. Whigs upheld the whole protective system, sugar duty no more than any other. Conservative Democrats, speaking through the Louisiana Courier, maintained their usual allegiance to the duty on Louisiana's staple as a revenue measure, but opposed the pro-

² New Orleans Louisiana Courier, June 14, 1843.

³ Natchitoches Herald, quoted in New Orleans Bee, June 30, 1843.

tective system bitterly. More radical members of the Democracy attacked all high tariff barriers, sparing not even the levy on sugar.

The Louisiana Democratic Association of New Orleans denounced "as a system of legalized robbery, a tariff for the benefit of the manufacturers at the expense of the producer," to which the Bee aptly replied that the inevitable conclusion was that sugar planters were legal highwaymen. Democrats resolved that opposition to a protective tariff and the United States Bank were "cardinal doctrines of the democratic party, to which our candidate must firmly pledge," and the Courier continued its half-and-half policy by insisting that if the sugar tariff was in a dangerous position, the fault lay solely at the door of the Whigs, who placed that duty in the same class with those levied for protection:

The Tariff party are neither the friends of the Sugar interest nor any Southern interest. They form, for the greater part, that portion of the Northern people, who have a deadly hostility to everything Southern; and Louisiana has nothing in common with them. They have placed the Sugar duty as a protective duty, for the purpose of commanding her votes in favor of an odious monopoly, which is actually sacrificing many of her vital interests, and which is inequitous and unjust towards her Cotton planters. The natural and true position of Louisiana, is with her Southern confederates, and with the great Northern democracy, whose sympathies and feelings are identified with her best interests.

Slidell was upheld by the *Courier* as a friend of the sugar duty,⁸ and a letter from Calhoun to Robert Carter Nicholas, Louisiana's Secretary of State, was produced to show that the South Carolinian had promised to "take pleasure in protecting your great staple against the machinations of the opponents of Slave labour," because of the revenue value of such protection.⁹ This policy of the *Courier* in favor of but one duty was reviled as "an exclusive, selfish, and sectional idea" by the *Bee*,¹⁰ which considered as preposterous any attempt to designate as for "revenue only" a tariff of 100 per cent on sugar, and as for

⁴ New Orleans Bee, January 17, 1843.

⁵ Ibid.

⁶ Ibid., May 17, 1843.

⁷ New Orleans Louisiana Courier, May 19, 1843.

⁸ Ibid., June 7, 14, 1843.

⁹ Ibid., June 14, 1843.

¹⁰ New Orleans Bee, May 19, 1843.

"protection" one of 40 per cent on iron. Similar opinion was maintained by the radical Democratic element, who, unwilling to weaken their position by compromise, declared:

It cannot be doubted for one moment, that the true democratic ground on the subject of revenue, is an opposition to a protective tariff. This principle cannot be surrendered without a disregard of all past promises and declarations, a total surrender of right and a violation of all political consistency. In our State, unfortunately for the cause of sound political principals [sic] the interests of some seven hundred sugar farmers have exercised at times a most fatal influence. In the 1st and 2nd Congressional Districts these farmers most generally reside, and it has been found that to conciliate their influences, which has strengthened by the state bank whose loan has fostered and kept them alive, that the question of a tariff was to be kept out of view, or if forced upon candidates, the democratic must answer in the equivocal language of fear and fawning, "I am in favor of a judicious tariff!" This course of conduct can no longer be tolerated."

Final appeal of the Whigs for support at the polls was based on the charge that if Democrats were elected to Congress, especially in the sugar parishes, "the fair and natural inference will be, that Louisiana is prepared and willing to relinquish all the advantages of a tariff for her Sugar, and to adopt a policy that will destroy her energy and prosperity." Despite the undoubted force of such an argument, the Whigs were completely routed, Democrats winning all four congressional seats: Slidell defeated George K. Rogers in the First District; Alcée Labranche won over White in the Second; Dawson defeated James M. Elam in the Third; and Pierre E. Bossier replaced Moore in the Fourth. 13

Casting about for some explanation of the crushing defeat they had suffered, Whigs placed first blame on the apathy which had characterized the campaigns of their candidates, especially that of White,¹⁴ but the Democrats saw other reasons for the same results. Most important in their estimation was the support given by Whigs to the hostility of Louisiana senators toward General Jackson, as expressed in the conflict raging in Congress over whether the former President should be refunded the fine

¹¹ New Orleans Herald, as quoted in Baton Rouge Gazette, May 20, 1843.

¹² New Orleans Bee, May 29, 1843.

¹³ Norton, "Whig Party in Louisiana," 206. The defeat was a hard blow to the Whigs, as they had fully expected to win at least three of the congressional seats. Thomas Curry to St. John Liddell, New Orleans, June 2, 1843, Liddell Collection (Louisiana State University Archives).

¹⁴ New Orleans Bee, July 10, 1843.

levied against him in New Orleans by Judge Hall in 1815.¹⁵ Whatever the reason, of course, the fact still remained that Louisiana was to be represented by a solidly Democratic delegation.

Regaining some slight ground in 1844, when Bannon G. Thibodaux defeated Labranche for Congress, ¹⁶ the Whigs looked forward to the presidential election of the same year with hopes of recovering their lost prestige. Again the tariff was to be a basic point of difference between the two parties, although overshadowed by the questions of abolition, annexation of Texas, and the election of delegates to the recently approved state constitutional convention. ¹⁷ Henry Clay was brought forth once more to lead the Whig party against the Democratic candidate, this time James K. Polk of Tennessee, who proved an excellent target for campaign attacks based on tariff viewpoints.

In Louisiana the Whigs continued to acclaim the tariff of 1842 as having "snatched the country 'like a brand from the burning.' "18 Polk was lambasted as a "rabid British Free Trade politician" who had opposed the sugar duty when running for governor of his state in 1843. His letter to the governor of Pennsylvania on the tariff, utilized by Democrats of that state to prove his sympathy for the act of 1842, was greeted by Louisiana Whigs as "signal duplicity," attempting to win protection sympathy in the North while keeping the South content with his pronouncements for a "revenue only" measure. Typical of the appeal to the sugar planters of the state was the call of the St. Landry Whig:

SUGAR PLANTERS REMEMBER!

That Henry Clay is in favor of the present Tariff, which imposes a duty of TWO AND A HALF CENTS PER POUND ON SUGAR! Remember also, that James K. Polk, is opposed to the present Tariff, and above all, that he is deadly hostile to protection on sugar! Mr. Polk has written and spoken more in opposition to the Sugar duty than any man in the

¹⁵ New Orleans Louisiana Courier, July 8, 1843. Conrad had defended Hall's fine against Jackson quite vigorously. See Congressional Globe, 27 Cong., 2 Sess., appendix, 373.

¹⁶ New Orleans Louisiana Courier, July 6, 1844. In 1843 Alexander Porter, a staunch tariff Whig, had been named to the national Senate by the Louisiana legislature, but an eventually fatal illness prevented his entrance into the office. See Stephenson, Alexander Porter, 111-114.

¹⁷ Norton, "Whig Party in Louisiana," 221.

¹⁸ New Orleans Bee, January 17, 18, 1844.

¹⁹ Ibid., June 10, 12, July 16, 1844.

²⁰ Ibid., September 24, 1844.

²¹ Ibid., September 3, 1844.

²² Baton Rouge Gazette, August 3, 1844.

Union, and desires to see foreign sugars admitted FREE OF DUTY!

He has denounced the Sugar Planters of Louisiana as "a few wealthy nabobs," who are not entitled to protection. Remember him at the polls!23

Great meetings of Whigs in West Baton Rouge,24 Plaquemine,25 Baton Rouge,26 and New Orleans27 pronounced allegiance to the tariff as "our great rock of strength." "Clay, Frelinghuysen, and the Tariff," became a rallying cry of protectionists.28 Democrats met them squarely on these grounds, with reservations always being made for the sugar duty, of course, by the conservative Louisiana Courier faction. "Is it fair," Whigs were asked, "that Mr. Clay, with his protective tariff should visit the sins of the British Parliament on the Cotton Planters of Louisiana, who has [sic] to buy everything they consume?"29 Polk's enmity to the sugar duty was roundly denied,30 and in retaliation Clay was accused of vacillating in his tariff speeches by alternately claiming then disavowing credit for the Compromise Act.31 "If Mr. Polk advocated low duties," said the Courier, "Mr. Clay carried those low duties into effect."32 Official statement of the party's stand came from the Louisiana Democratic Convention. meeting early in 1844:

Resolved, That the Congress of the United States has no power, under the Constitution, to levy duties upon imports for any purpose but revenue; that taxation, whether direct or by impost, can only be rightfully resorted to, for the promotion of the specific ends enumerated in the Constitution, among which is no where to be found that Principle of Protection.

Resolved, That the existing tariff should be reduced to a revenue standard, and no more revenue should be raised by imposts, than what may be absolutely necessary for the strictly constitutional powers of the General Government.33

Polk carried Louisiana with 13,447 votes as against Clay's 12,821, the Whigs setting up an immediate cry that fradulent

²³ Opelousas St. Landry Whig, October 3, 1844.
²⁴ Baton Rouge Gazette, January 13, 1844.
²⁵ Ibid., September 28, 1844.
²⁶ Ibid., October 12, 1844.
²⁷ New Orleans Bee, February 26, 1844.
²⁸ Washington National Intelligencer, October 29, 1844; Baton Rouge Gazette, October 12, 1844.

29 Opelousas Gazette, September 7, 1844.

30 New Orleans Louisiana Courier, June 8, 12, 14, 1844.

31 Ibid., June 22, 1844.

32 Ibid., June 14, 1844.

33 Ibid., January 10, 1844.

practices by Slidell in Plaquemines Parish had robbed their leader of the state's vote.34 Undoubtedly Slidell had stolen a political march on his opponents by voting in Plaquemines many persons excluded from the polls in New Orleans,35 but it is probable that the expressed attitude of the Whigs toward Texas had a great influence in swinging votes to Polk. Clay had condemned annexation of the republic without consent of Mexico "as a measure compromising the national character," and despite their own inclinations³⁷ and in the face of popular opinion throughout the state,38 Louisiana Whigs had publicly approved Clay's stand.39 Senator Barrow voted against the annexation treaty in Congress. 40 explaining in a long letter to his constituents that he considered union with Texas as not only a step toward war but as a measure which would devaluate Louisiana sugar and cotton lands.41 Other prominent Whigs gave expression to similar views,42 which were climaxed with the statement of a great party rally in Baton Rouge that no matter how desirable extension of United States territory might be, "the Whigs of Louisiana are unanimously opposed to the adoption of such a measure, unless it be compatible with the honor of our country and the stability of our Union."43

It is probable that the victory of Polk in Louisiana was primarily a rejection of the Texas plank of the Whig platform. Yet the support given the antitariff party obviously furnished some indication of the growing hostility to protection in the state, and ominous comment was forthcoming in both Whig and Democratic press. The Democratic Augusta Chronicle and Sentinel thus "sympathized" with the sugar planters of Louisiana:

As Louisiana only had an interest in the tariff amounting to two and a half cents per pound on about 150,000 hogsheads of sugar, the people of that State very considerately cast their vote for a party that is pledged to "free trade." Well, if the sugar growers think the duty too high, the sugar users certainly will not be averse to "trying the experiment" of an unrestricted importation of it. We are very much in

³⁴ New Orleans Bee, November 7, 1844; Norton, "Whig Party in Louisiana," 242.
35 Norton, "Whig Party in Louisiana," 245.
36 Baton Rouge Gazette, May 11, 1844.
37 Norton, "Whig Party in Louisiana," 224.

³⁸ Ibid.

Tota.
 Baton Rouge Gazette, May 25, 1844.
 Norton, "Whig Party in Louisiana," 223-224.
 Baton Rouge Gazette, June 15, 1844.
 Ibid., September 7, 1844.
 Ibid., October 12, 1844.

favor of having every person suited, so far as it is practicable; and as Louisiana sugar growers say "no duty," so let it be! The two or three millions of revenue raised on sugar, can be despensed with now, perhaps, as the national debt is nearly paid.—We, to be sure, think a tariff a very good thing—but we will not insist upon its being kept up on sugar, against the late expressed wish of the Louisiana sugar growers themselves.44

Angered at the state's defection, the Whig Albany Journal commented:

Louisiana, though prospering "beyond all former example," voted for "Polk and Free Trade." Let her have Free Trade, we say—Take off the duty of \$2 which is now paid upon every hundred pounds of foreign sugar. It will make several millions of dollars difference annually, in the profits of the W. Indian and Brazilian planters. But they voted for free trade.—Let them have what they bargained for.⁴⁵

As if the Whigs had not tasted of defeat sufficiently in 1842, 1843, and 1844, they were to bow once more before the Democrats in the first gubernatorial election held under the new constitution of 1845. With Democratic demands for a revision of the tariff of 1842 growing more and more insistent, protection became the main issue in the state hustings, antitariff forces lining up behind the locofoco candidate, Isaac Johnson, while the protectionists supported the Whig nominee, William Debuys. From the very beginning it was admitted by both parties that the campaign was to be fought out on the question of the tariff. The Democratic Jeffersonian Republican issued repeated assertions to this effect, to which the Bee replied, "so be it."46 And although the conservative Louisiana Courier still clung to its allegations that the Democrats were not hostile to the sugar duty,47 the more radical Jeffersonian Republican, with declarations that "There will be no such phenomenon recognized in Louisiana as a tariff democrat,"48 advised that local prejudices and self-interest must be pushed aside, so that the tariff question might be dealt with in the strict light of justice. Compromise was decried—to yield on any point of protection would be tantamount to joining the ranks of the Whigs: "We affirm the democracy of Louisiana as an anti-tariff democracy. . . . The Democratic convention at

Reprinted in Opelousas St. Landry Whig, December 5, 1844.
 Reprinted in the New Orleans Daily Tropic, August 23, 1845.

⁴⁶ New Orleans Bee, October 8, 1845.
47 New Orleans Louisiana Courier, October 17, 1845.
48 Quoted in New Orleans Bee, October 8, 1845.

Baton Rouge was an anti-tariff convention. It nominated Johnson and Landry as anti-tariff men. . . . If they be elected we will claim it as a anti-tariff triumph."49

Therefore, warned the Bee, "The sugar planters must perforce turn whigs or kick the tariff to Coventry,"50 and the Baton Rouge Gazette called its compatriots to arms: "The vote of the state, if cast for Judge Johnson, will have more weight and influence on the tariff question in the next congress, than all the petitions which might be sent by 7/8 ths of the planters of the state, the large majority of whom are whigs, and whose interests would be jeopardized by a repeal of the tariff."51

Despite the apparent crisis facing the party, the Whigs were unable to organize their forces for victory. Conservative in nature and never very enthusiastic in the cause of revising the old state constitution, under which they had controlled local politics, their dominance in state affairs was fast crumbling before the growing strength of the Democrats. Under the new constitution of 1845 the suffrage was thrown open to a great many persons who, considering the Whigs as having chiefly delayed their enfranchisement, flocked to the banners of the opposing party, as did the foreign-born element alienated by Whig sympathy for Native Americanism.⁵² Also swelling the ranks of the locofocos were the great numbers of migrants who poured into the state in the late 1830's and early 1840's, most of whom settled in the strong Democratic centers of northern Louisiana.⁵³ Small cotton planters for the most part, these newcomers were not at all sympathetic toward the demands of the sugar planters for a protective tariff. These factors, coupled to the disfavor which still adhered to the Whigs because of the ill-fated Bank bill of 1842, were enough to sweep Johnson to the governorship and elect a majority of Democrats to the legislature in 1846, although the sugar parishes refused to desert their traditional faction.⁵⁴ The Whigs themselves admitted that defeat had followed upon apathy in their ranks and the split in their following

⁴⁹ New Orleans Jeffersonian Republican, as quoted in Niles' Weekly Register, LXIX (1845), 139.

50 New Orleans Bee, October 8, 1845.

⁵⁰ New Orleans Bee, October 8, 1845.
51 Baton Rouge Gazette, November 15, 1845.
52 Norton, "Whig Party in Louisiana," 265.
53 Despite the loss of 1,300 lives by Yellow Jack and various other diseases in June and July of 1841, for example, it was predicted that 2,600 or more persons would migrate into Louisiana in October of that year. New Orleans Louisiana Courier, October 13, 1841.
54 New Orleans Daily Delta, January 31, 1846. As an example of the sugar parish vote, Jefferson, St. James, Iberville, Lafourche, St. Charles, Terrebonne, St. Mary, St. Landry, St. John, St. Martin, and Vermilion, all gave majorities to Debuys.

between Debuys and Charles Derbigny, who had taken the field as the first candidate of a new Native American party.55

With the ascendency of the Democrats, it was likewise apparent that a new tariff policy would henceforth characterize the activity of the state administration. In his inaugural address of February 12, 1846, Johnson expressed himself as definitely in favor of limited Federal power and satisfied that before long the tariff would cease to be a vexing problem:

I am inclined to think that there are few of either party, who now contend for free trade in a literal sense—who advocate the levelling of tariffs. . . . Nor can I think that serious opposition will be made, except by those who, like the chamelion, take the complexion of their opinions from immediately surrounding objects and interests, to the abolition of the odious minimum principle, and to a modification of the present tariff by the reduction of some of the higher and more oppressive duties. I repudiate the idea that protection to individual interests by Government bounties, can ever be of general benefit to a nation. . . . Let me then cherish a sanguine hope that, in our own favored land, the jealous spirit of civil liberty will watch with sleepless vigilance every act of legislation, and save us from the appalling consequences of partial and unequal laws.⁵⁶

Entirely conscious of the drift things were taking, the Bee commented on the inaugural message: "These doctrines will very probably suit locofocoism in the cotton growing region of Louisiana; how they will be relished by the Sugar planters, may be best answered by those who, with a shrewd fore-knowledge of his views, thought fit to cast their suffrages in his favor."57

Signs there were, too, that overthrowal of the Whig influence in the Louisiana delegations to Congress would effect considerable change in the state's future vote on tariff legislation. Such a transformation coincided exactly with a revival of attempts in the national legislature to revise the tariff of 1842. Complaints had been directed to Congress against the act as early as 1843, attacking it as not only "inexpedient and unconstitutional,"58 but as resulting in "evils . . . so universal . . . that, except the manufacturers, none venture to say a word in its favor."59 With free

New Orleans Bee, January 21, 1846.
 Louisiana Senate Journal, 1 Leg., 1 Sess. (1846), 11.
 New Orleans Bee, February 14, 1846.
 House Document, No. 63, 27 Cong., 3 Sess., 3.
 House Document, No. 79, 27 Cong., 3 Sess., 4.

trade advocates continuing to drag the controversy before the public, the sugar duty was not to escape its share of castigation. Levi Woodbury, for example, told his fellow citizens of New Hampshire in 1843 that their commerce was being stifled to "push, further, experiments already fatal . . . to make a few more pounds of sugar in Louisiana, rather than purchase it from Cuba or Brazil, where the cane ripens two-thirds larger and the sugar is cheaper in proportion, and where we can get it in exchange for our lumber and flour, sold at much higher prices than here."60 In Louisiana, as well, warnings were being sounded of approaching danger to the cane growers, the Louisiana Courier fearing that "an attempt will be made at the approaching session of Congress [1843-1844] to diminish the duties on imported brown sugar, and from the general odium in which the tariff of 1842 is held, we have some apprehension that the attempt will be supported by members who are otherwise friendly to Louisiana."61

Further endangering the sugar duty, of course, was the entirely Democratic nature of Louisiana's congressional delegation, chosen in the great locofoco victory of 1843. Once again her representatives were in the embarrassing position of denouncing protection while demanding for their staple a duty which no one but themselves considered as a "revenue only" tax. Occasion for revival of the issue came when Congress convened late in 1844. McDuffie, now in the Senate, introduced a bill looking to a return to the Compromise Act of 1833, but the measure was indefinitely postponed.62 Adhering to Whig principles, Barrow cast his vote for the delay.63 In the House, Slidell, Bossier, Labranche, and Dawson joined fellow Democrats in favoring the call for a bill from the Committee of Ways and Means to place the tariff on a revenue basis,64 thus giving clear indication of the new position the Louisiana delegation was henceforth to assume on protection. The bill eventually reported by the committee, however, although reducing rates generally, did not go so far as to return to the Compromise Act, nor did it substitute ad valorem for specific rates. On raw sugar, brown and brown clayed, the duty was to

⁶⁰ Hunt's Merchants' Magazine (New York, 1839-1870), VIII (1843), 422.

⁶¹ New Orleans Louisiana Courier, November 8, 1843.

⁶² Congressional Globe, 28 Cong., 1 Sess., 47, 633.

⁶³ Ibid., 633. Henry Johnson did not vote on the measure.

 $^{^{64}}$ Ibid., 99, 102-103. Bossier died early in the congressional sitting, and was succeeded by Isaac Morse.

be cut to 2 cents a pound, while molasses was to be taxed 3 mills a gallon instead of the 4½ levied in 1842.65

Chief defence of the sugar duty during the debates came from Slidell, in a lengthy, rambling speech which signalized the reversion of the Louisiana delegation to the antiprotection fold. After the usual insistence that the duty stood "on grounds peculiar and distinct from any other," Slidell maintained that "Important as the question of protection is, I cannot but think that the effects of the system, either for good or for evil, are very greatly exaggerated."66 He charged the Whigs with attributing to the tariff "everything good and prosperous," while the Democrats looked to the same cause for "everything depressing and stultifying."67 Blaming prodigality and "living too freely" for the diminished importations of 1840-1843, Slidell warned that "expenditures must be reduced to a level with the revenue, or the revenue must be brought up to the expenditures."68 Direct taxation he considered as the "most equitable" means of providing for such funds, although it was admitted that the system was too unpopular with the general public to be put into practice. Therefore impost duties, said Slidell, were the only remaining method of raising revenue, but since "sound currency is a better protection for the manufacturers of the country than any protective tariff," an average 30 per cent tax on imports would be the most satisfactory source of national income. 60 A horizontal schedule "would be unfair, as well as unequal," 70 and higher duties would discourage importation.71

Slidell continued this approach by announcing himself as willing to submit the duties on sugar and molasses to the test of a "revenue only" tariff. Arguing that to reduce them would be to lose revenue without increasing consumption, Slidell then expressed a viewpoint which was at complete variance with the pronouncements of Louisiana congressmen of earlier years. Although reduction of the sugar duties would undoubtedly cause a gradual decline in the number of estates in Louisiana, he admitted, it would not "immediately operate materially to diminish the culture of the cane. The establishments exist: they have been

⁶⁵ Ibid., 360-362. 66 Ibid., appendix, 386. 67 Ibid.

⁶⁸ Ibid., 387. 69 Ibid., 390. 70 Ibid., 387. 71 Ibid.

created at an enormous expense; and whatever may be the price of sugar, they would only be abandoned after a long and protracted struggle of the proprietors to maintain themselves under the new system." However, Slidell insisted, if the sugar industry was to keep apace of national progress, a revenue duty of $2\frac{1}{2}$ cents must be maintained, as was fully in keeping with the principles of discrimination.⁷³

Characterized by John Quincy Adams as speaking "on both sides" of the tariff question,⁷⁴ Slidell was obviously trying to disrupt once and for all the alliance between the sugar duty and the protective system, a union which had been effected during the long period of Whig control of the Louisiana congressional delegations. Following out this plan of campaign, he continued:

The history of sugar, which is but an epitome of that of agriculture generally throughout the country, shows that it has always been made the scape goat of the manufacturing interests of the East. It has become, in a great degree, identified in public opinion with the protective system, and without any fault on our part. The people of Louisiana have always been opposed to it; her entire delegation in Congress voted against the tariffs of 1824 and 1828; and had this protective system never been introduced, no idea of demanding a diminution of duty on sugar would have existed, for the simple reason that it could not have been dispensed with as a revenue duty.⁷⁵

How reminiscent this was of Robertson's memorable address in the same halls of Congress twenty-eight years before, and how similar to that earlier plea was Slidell's appeal to the West to support the cane growers of Louisiana: "The agricultural interests must sustain each other; they have been too long the dupes and the victims of factory combinations." And again the old fear of Louisiana Democrats was voiced: "I believe that whatever may be the fate of this bill in the present Congress, the knell of the protective system has been rung; and I again repeat that, by this, I mean protection, irrespective of and destructive to, revenue. I do not wish the sugar duty to be identified with it. I dread another compromise act, to be introduced by

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Charles Francis Adams (ed.), Memoirs of John Quincy Adams (Philadelphia, 1874-1877), XII, 19.

⁷⁵ Congressional Globe, 28 Cong., 1 Sess., appendix, 390.

⁷⁶ Ibid., 392.

some champion of protection, by whom we shall be again sacrificed."77

With such sympathies, of course, the activity of the Louisiana delegation was foreordained—they must align themselves with the Democratic opposition to protection, thus win the friendship of the incoming administration, and with such an alliance hope to maintain the sugar duty as a "revenue only" measure. When the bill of the Committee of Ways and Means was finally lost, therefore, the entire Louisiana delegation threw its weight against disposing with the tariff reduction, Dawson, Labranche, and Slidell voting not to table, despite the decrease of the sugar duty embodied in the bill.78 For the first time since 1828 a majority of the Louisiana representation in the House had joined the ranks of antiprotectionism.

Defeat of the bill of 1844 did not kill the movement for revision of the tariff of 1842. By 1846, the Democrats having moved into complete control of all branches of the government, it was clear that protectionism faced dark days. The Louisiana delegation to the Congress of 1845-1846, which was to prove so fatal to the system, was still dominated by locofocos—of Emile La Sere, John H. Harmanson, Isaac Morse, and Bannon G. Thibodaux, only the last was a Whig. Through the whole debate on the tariff of 1846, Louisiana's votes were to be cast in strict conformity with party doctrines.

Little time was lost by the Polk administration in approaching the tariff question, nor was there much reason to doubt what the new President's program would encompass. In his first annual message to Congress, Polk issued a stern call for the placing of duties at that point which would insure collection of the maximum amount of revenue.79 The master appeal for tariff revision, however, came from Secretary of the Treasury Robert J. Walker of Mississippi. Designated by one authority "as one of the most startling state papers ever presented to Congress,"80 Walker's annual report of December 3, 1845, literally sounded the death knell to antebellum protectionism. Reporting a balance of \$7,658,-306.22 in the Treasury as of July 1, 1845, the Secretary proposed:

1st. That no more money should be collected than is necessary for the wants of the government, economically administered.

⁷⁷ Ibid.

 ⁷⁸ Congressional Globe, 28 Cong., 1 Sess., 591.
 79 Richardson (ed.), Messages and Papers of the Presidents, IV, 403-406.
 80 Stanwood, American Tariff Controversies in the Nineteenth Century, II, 44.

2nd. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

3rd. That below such rates discrimination may be made, descending in the scale of duties; or, for imperative reasons, the articles may be placed in the list of those free from all duty.

4th. That the maximum revenue duty should be imposed on luxuries.

5th. That all minimums, and all specific duties, shall be abolished, and ad valorem duties substituted in their place care being taken to guard against fraudulent invoices and under valuation, and to assess the duty upon the actual market value.

6th. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.81

Attacking the tariff of 1842 as "unjust and unequal, as well in its details as in the principles upon which it is founded,"82 Walker assailed the act as unconstitutional because it was prohibitory, preventing Congress from carrying out the full scope of its powers to "lay and collect taxes, duties, imposts and excises."83 Maintaining that at "least two thirds of the taxes imposed by the present tariff are paid, not into the treasury, but to the protected classes,"84 the Secretary advised Congress: "Let us, with revenue duties only, open our ports to all the world, and nation after nation will soon follow our example."85

Walker's report aroused a furor all over the nation, as much in Louisiana as elsewhere. The New Orleans Chamber of Commerce drew up a formal protest against the Secretary's program, defended the sugar duty vigorously, and approved the tariff generally "as the principal cause of the prosperity and increase of the cotton manufactures of the United States, which benefit the cotton planter" because of increased consumption of the southern staple.86

Branded by the Bee as a series of "specious allegations against the Tariff,"87 the report was soon to win attention from the state legislature, in a controversy which gives further evidence of the

⁸¹ House Document, No. 6, 29 Cong., 1 Sess., 1-4.

⁸² Ibid., 8. 83 Ibid., 6-7.

⁸⁴ Ibid., 9. 85 Ibid ..

so Hunt's Merchants' Magazine, XIV (1846), 145-150. 87 New Orleans Bee, December 18, 1845.

strength which had accrued to the Democratic antitariff party in Louisiana. Reporting early in 1846 for the minority members of a committee appointed to investigate Governor Johnson's allusion to the tariff in his inaugural message, Duncan F. Kenner addressed the state Senate:

Whereas, the Tariff of 1842 has produced no more than sufficient revenue to defray the necessary expenses of the general Government, and only affords an adequate incidental protection to American Industry and American Manufactures against foreign competition and foreign policy and a consequent encouragement to Commercial enterprise, to agricultural pursuits and to the development of our internal resources. And whereas it is believed that the people of Louisiana are opposed to any alteration of the special duty on sugar until further experience has shown that a modification is required to promote their general welfare, Therefore—

Be it Resolved by the General Assembly of the State of Louisiana that our Senators and Representatives in Congress be, and they are hereby requested to oppose all attempts to alter or modify the tariff act of the 30th August, 1842, as contemplated by the present Secretary of the Treasury.⁸⁸

Speaking through Thomas J. Durant of New Orleans, however, the majority of the committee took sharp issue with these sentiments. They considered levying a protective tariff as beyond the powers conferred by the Constitution on Congress, assailed the tariff of 1842 as a violation of the Compromise Act of 1833, and denounced protection as a burden on the consumer and a weight on international commerce. It was finally suggested:

- 1. Therefore be it Resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That in laying taxes, imposts, duties and excises for purposes other than of paying the debts of the United States, providing for the common defence, and promoting the general welfare, the Congress does an act beyond the Constitution.
- 2. Resolved, That the Congress has no power to provide for the common defence and promote the general welfare, except by the exercises of powers specially delegated to it by the constitution.
- 3. Resolved, That the Act of Congress of 1833, on the tariff was a compromise between the friends of protection and its opponents, which ought to have been carried out in a spirit of good faith and sincerity.

⁸⁸ Louisiana Senate Journal, 1 Leg., 1 Sess. (1846), 55.

- 4. Resolved, That the tariff of 1842 should be reduced in such a manner as to bring an amount of revenue, not exceeding the wants of the General Government, from the lowest rate of duties; without regard to the special interests of any section of the Union, but with a single eye to the general welfare of all the States.
- 5. Resolved, That everyone has a natural right to exchange the products of his labor according to his own opinion of his own advantage; that government is not justifiable in interfering with this right; unless such interference be made for the purpose of carrying some express provision of the Constitution; that the idea of diminishing the price of commodities by laying a tax upon articles of consumption violates the right of labor, by reducing its reward on one side and increasing at its expense the profits of capital on the other.
- 6. Resolved, That our Senators be instructed and our Representatives in Congress be requested to shape their votes upon the tariff in accordance with the principles of these resolutions.⁸⁹

The two reports were taken up in closed executive session, and it is impossible to discover what final decision was made in their regard. That the majority resolutions expressed the prevailing opinion of the Democrats of the state seems undeniable. It is to be remembered, for example, that just such tariff doctrine had been given the place of major importance by locofocos in their victorious gubernatorial campaign of 1846.

On April 14, 1846, the Committee of Ways and Means reported a bill to the national House embracing the principal suggestions of Walker's report. The measure divided all duty-paying articles into seven classes, each of which was to bear a specified ad valorem levy: Schedule A, at 75 per cent, included brandy and liquors; Schedule B, at 30 per cent, comprised jewels, embroideries, manufactures of gold, silver, and iron, as well as molasses, cotton and woolen goods, and sugar; other schedules carried duties of 25, 20, 15, 10, and 5 per cent, and all goods not specifically listed or excepted were to pay 20 per cent.⁹⁰

There were the usual moves to reduce the sugar duty, George Rathbun of New York attempting to place sugar and molasses in the 5 per cent class, and Richard Brodhead of Pennsylvania

⁸⁰ Ibid., 58-59.

DO Congressional Globe, 29 Cong., 1 Sess., 670.

trying to assign them to the free list. 91 Both attempts were abortive. Chief Louisiana participation in the debate was to come from Harmanson, who surpassed even the speech of Slidell in turning away from the doctrines so often enunciated by Whig congressmen from the same state in earlier years. Representing himself as a delegate from "a constituency who are uncompromising in their opinions on this subject," Harmanson declared:

I should be recreant to every principle of honor and duty did I fail to enter their protest against the perpetuation of a system which they honestly believe will bring ruin to the agricultural, commercial, and maritime interests of our country; a system which, if forced upon us, must end in the subversion of the liberties of the people, when the few will govern the many, and revel in wealth extorted from them by unjust legislation; a system which, if persisted in, ere half a century passes by, will reduce the people to a state of degradation, immorality, and abject slavery.92

Referring to the report of the New Orleans Chamber of Commerce, which claimed that fraudulent entry of sugar as syrup actually lessened protection of the staple, Harmanson completely disavowed the tariff on his state's great product:

It has completely convinced me that the two and a half cents duty under the act of 1842 is a sham, a cheat; that the real duty has been less than half a cent per pound. It proves more; that even with half a cent duty it is the most flourishing agricultural business in the world. And still more: that no country is better adapted to the culture of sugar than Louisiana, and that it has met competition and overcome it, having had the last three years really less than 30 per cent. duty.93

The United States, continued Harmanson, could no longer exist half agricultural and half manufacturing; one interest must give way before the other. And since protection was a "deeplaid scheme to enslave" the "farmers and mechanics' children" to the mills of the manufacturers, he pledged his support to any movement for free trade, to "teach these bloated lords of the spinning jenny" that the people "know their rights and interests."94

Harmanson's address was such a complete reversal of accepted Louisiana policy, of course, that it evoked considerable

⁹¹ Ibid., 1049.

⁹² Ibid., appendix, 744. 93 Ibid., 745. 94 Ibid., 747.

comment in the House. Robert C. Winthrop of Massachusetts, for example, owned that he "was a great deal astonished to hear so wholesale an attack upon the existing tariff from that particular quarter. I had thought that if there were any product of our country which required and received the highest measure of protection, it was the staple product of the honorable member's own State."95 What Winthrop was overlooking, of course, was that Louisiana was now represented by Democrats pledged to tariff revision and quite willing to sacrifice the sugar duty to their own political principles. Indisputable evidence of this fact was given when La Sere, Morse, and Harmanson cast affirmative votes for the antiprotective tariff measure of 1846. Only the Whig Thibodaux voted nay.96

Passing the House 114 to 95,97 the bill was sent to the Senate, where political parties were more evenly balanced. Again Walker came to the support of the antiprotectionists, this time reporting at the request of the Senate on monopolies in the United States. In the course of his message, the Secretary denied that the tariff kept down prices, and to prove his point cited the Louisiana sugar industry:

Now, no article can be permanently produced, so as to be sold in any country for any length of time, below the actual cost of such article in the country. Thus, if we take the case of sugar produced from the cane, which is a tropical plant, the cost of producing it in a climate where there is at least some winter and frost, situate nearly seven degrees north of the tropic, season and the laws of nature forbid that any duty, however high, or any competition, however great, can bring down the cost of production to the cost of producing the same article in a tropical climate. Thus, ever since the acquisition of Louisiana, sugar has been subjected to a duty nearly always equal and for many years higher, than the present rate; and the relative difference between the price of the foreign and domestic article, and of the cost of production, is nearly one half the price; and nothing but the duty can occasion the difference of price.98

Throughout the course of the Senate battle over the bill, Barrow and Johnson joined consistently with the Whig opposition, 99 and cast votes of nay when the measure finally passed the upper house, 28 to 27.100

⁹⁵ Ibid., 969. 96 Congressional Globe, 29 Cong., 1 Sess., 1053.

⁹⁷ Ibid. Weekly Register, LXX (1846), 350. 98 Niles' Weekly Register, LXX (1846), 350. 99 Congressional Globe, 29 Cong., 1 Sess., 1143, 1155.

The new tariff act received a mixed reception in Louisiana. Jubilant Democrats praised Walker as "one of the greatest men of the age,"101 and the repeal of the tariff of 1842 as the final victory for free trade. 102 To the Whigs the same measure meant death to the sugar industry. "The sugar interest of Louisiana for the present is destroyed," moaned the Daily Tropic, 103 while the Baton Rouge Gazette sorrowfully informed its public that "The blow has been struck. . . . Those who are established and out of debt, may ride the storm, but those who are preparing to manufacture sugar and may be somewhat involved, may rest assured that this bill leaves them no chance of getting out of their dilemma."104 The planters themselves were both stunned and angered by the new act. From New Iberia Judge Moore received word that:

The news of the passage by the House of Representatives of the new tariff bill has fallen like a thunderbolt on the community here. No one seemed prepared for it, the maledictions heaped upon our great Representative [Morse] on account of his course are deep & many. Both parties here seem to have expected an entirely opposite course from him. He stands I think in an unenviable position. He will hardly get a vote from this section of the country for renomination.

We are anxiously awaiting the result of the struggle in the Senate, and some comfort themselves by the hope that it will be rejected by that body, tho I must confess that so far as I am concerned the syrin voice of hope has fled. I have no faith in the private and real opinions of the unflinching Democracy when party interest or dictation has set their engines to bear. I must confess that it has staggered me very much. I feel very much like cursing the whole concern Polk & all. It will be the cause of breaking up a great many persons engaged in the Sugar buisness [sic] & I fear it will not let us of [f] without great exertion & a long number of years in debt. I am very much discouraged but hope for the best. 105

The anger of the St. Mary sugar planters at Morse's votes on the tariff measure was expressed in a memorial which they urged Johnson to present in the Senate:

The undersigned, fully convinced that the condition of our national affairs required rather an increase than a diminution of the revenue, do, as men mindful of their own indi-

¹⁰¹ New Orleans Louisiana Courier, March 3, 1846.

¹⁰² Ibid., July 13, 16, 22, August 3, 1846.
103 New Orleans Daily Tropic, August 6, 1846.
104 Baton Rouge Gazette, July 18, 1846.
105 Alfred Weeks to John Moore, New Iberia, August 3, 1846, Weeks Collection.

vidual protection and safety from utter ruin, and as patriotic men, desirous of their country's good, most earnestly and respectfully remonstrate against the provisions of the tariff of 1846, and pray for its repeal. The undersigned are aware that their immediate Representative in the lower House of Congress is not inclined to favor their industry with his official support, and thus take this occasion, as a community, as a people whose Representative has been forgetfull of a sacred trust—the defence, namely, of the interests of all his constituents, to protest against his acts so obviously in contravention of their vital interest; silence on their part would very naturally be construed into acquiescence in the course he has thought proper to pursue, and therefore we all, without distinction of political party, disclaim any approval of his proceedings in relation to this matter. 106

Johnson acceded to their wishes, and although the memorial was roundly criticized by some as impeaching Morse in his absence, it was finally printed.¹⁰⁷

The Whigs, of course, were bitter in their denunciation of the part played by the Democratic congressmen from Louisiana in the passage of the Walker Tariff, 108 although there were some who admitted that protectionists of the state had only themselves to blame, having "committed suicide" by failing to vote for members of their own party. Democrats, on the other hand, went to great lengths to prove that their representatives had never been unmindful of the sugar interests. Even the Whigs must soon realize, they claimed, "that the moving cause for the defence" of the tariff of 1842 was "a desire to increase dividends on New England joint stock manufacturing capital rather than on capital invested in Louisiana sugar lands and negroes." The fall in prices which was to follow the act of 1846 would be greater aid to sugar planters than protecting duties, it was promised, and "the brisk trade in western produce no less certain to be generated by the same cause, must do much more for the benefit of the planter, than does the law of 1842."109 Although Barrow and Johnson had opposed the new act, the Democrats claimed, two thirds of the people of the state favored it.110 "As valuable as the sugar planting interest of Louisiana is, your senators and Whig representatives know well that in reality, it is not to compare with their

¹⁰⁶ Congressional Globe, 29 Cong., 2 Sess., 88.

¹⁰⁷ Ibid., 132-134.

¹⁰⁸ New Orleans Bee, July 13, 1846.

¹⁰⁹ New Orleans Louisiana Courier, June 26, 1846.

¹¹⁰ Ibid., August 13, 1846.

State interests relying on the extension of commerce for true prosperity."111

There were some, too, who doubted that the Walker Tariff would prostrate the Louisiana sugar planters. Judah P. Benjamin, for example, referring to Great Britain's free trade experiment, explained in one of his contributions to De Bow's Review:

A fortunate concurrence of circumstances has rendered harmless the reduction in the protective duty which had been levied in favor of this very extensive manufacture. The sudden and unexpected repeal by Great Britain, of that provision of her laws, which discriminated between sugar grown by slave labor and free labor, has destroyed the barrier of prohibitions which prevented the import into that country of the Cuba sugars; and the still further prospective of reduction in the English duties secures us against a competition which must have ruined two-thirds of our planters. 112

Thus the tariff of 1846 found Louisiana officially half way down the road back to antiprotectionism—her senators still clinging to old Whig tenets, her representatives reflecting the rising tide of Democratic antitariff sentiment in the state. The series of Democratic victories at the polls, from the election of Mouton in 1842 to that of Johnson in 1846, all of which followed campaigns stressing locofoco determination to scrap protectionism, gives rather strong evidence that the trend of public opinion in the state had gradually shifted back to the old antitariff viewpoint. By 1848 even the Whig control of the Senate delegation had disappeared, Louisiana being represented by two ardent Democrats, Solomon W. Downs and Pierre Soulé. Whigs of the state were to regain some of their lost ground in the early 1850's, but the tariff of 1846 had practically settled the antebellum controversy over protection, and although there was continued hope by tariff men of raising the schedule, the further revision downward in 1857 revealed the hopelessness of their position. 113 The decade of the 1850's, moreover, was a period of newer and more burning issues. The tariff, in Louisiana as elsewhere, gave way before the approaching climax in the more fateful controversy between North and South.

¹¹¹ Ibid., June 26, 1846.

 ¹¹² De Bow's Review, II (1846), 344. For similar views see St. John Liddell to Moses Liddell, Black River, August 2, 1846, Liddell Collection.
 113 Stanwood, American Tariff Controversies in the Nineteenth Century, II, 93-108.

CONCLUSION

The long period from 1816 to 1846 had found Louisiana following a shifting course in its relationship to protectionism. Scanning the whole panorama of those years, however, it is rather easy to discern a more or less definite pattern in the state's tariff policy. As other of her sister commonwealths had done, Louisiana allowed economic conditions to govern her political philosophy. A predominantly cotton area from 1816 to 1828, the state had joined in opposing a system considered oppressive to agriculture, throwing her votes in Congress against the acts of 1816, 1824, and 1828. All the while, of course, it was convenient to insist that the needs of revenue made continuance of the duty on her second staple, sugar, indispensable to the functioning of the government.

With the approach of the new decade, however, cane usurped the position of cotton in Louisiana, and with the inhabitants of the sugar area in control of state politics. Whig tariff doctrines were embraced wholeheartedly. From 1830 until 1842 Louisiana was a bulwark of protectionism in the national legislature, but events of the early 1840's were taking a turn which presaged a weakening of this fortress. Migration of small cotton farmers into the Democratic areas of northern Louisiana swelled the ranks of those who not only failed to receive any direct benefits from the tariff but considered themselves as actually oppressed by the system. Enfranchisement of many citizens previously excluded from the polls, as well as the resentment felt by foreignborn elements toward the strongly nativist Whig faction, tilted the political balance in favor of the Democratic party. Whigh supremacy gradually crumbled before the growing forces of the opposition: in 1842 a Democrat was raised to the governorship; in 1843 an entirely Democratic delegation was sent to the national House; and in 1846 Democrats were in complete control of the state government. During the whole of this march of the locofocos to ascendency, of course, one of the major pledges in their campaigns was hostility to a protective tariff. With the continued success of their candidates seeming approval of such a program, Democrats did not hesitate to apply their principles in the national legislature. Slidell and his brethren in 1844 reversed official Louisiana approval of the tariff in the House of Representatives, casting a unanimous vote against protectionism. By 1846 the transformation had gone so far that only the two

Whig Senators from the state, one having been elected early in 1841, and one Representative in the House opposed the free trade victory embodied in the Walker Tariff.

From ardent antiprotectionism, Louisiana in 1830 had gone over enthusiastically to the tariff ranks. With the shifting of her economic and political fortunes once more, public sentiment by 1846 had directed her course back to traditional southern sympathies.

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JOHN HAMPDEN RANDOLPH, A LOUISIANA PLANTER*

By PAUL EVERETT POSTELL

INTRODUCTION

The unearthing, by historians and librarians in the South, of manuscript materials formerly stored in attics, outhouses, and cellars of ante-bellum homes has thrown a new light upon the economic and social life of that agricultural region. Such sources as cotton record books, crop reports, diaries, expense books, records of land purchases and sales, partnership agreements, and correspondence have aroused a keen interest among students of history. From these sources new studies are being made, which to a large extent are helping to break down certain existing theories concerning the Old South, so many of which theories are recorded in the general published histories.

All such records which have been exhumed were kept by the owners of plantations; these latter representing a type of agricultural unit of the ante-bellum South. Many of them are legible and others illegible, or partly so, but in all cases they give a true and lasting picture of the plantation system as it was, and all are a contribution to the social and economic history of the region.

Ulrich B. Phillips and James D. Glunt have written as follows in regard to the value of the study of such sources:

The historical study of plantations has just begun, and all generalizations concerning them must be in a measure tentative until many more of their actual records have been made available. Among the things of which least is known are the details of organization, supervision, and performance of labor, and the manner in which vicissitudes and emergencies were met. Plantation records are highly diverse in scope and quality and in the promptings which caused them to be written. They include advertisements of estates for sale, or of rewards for the return of runaway slaves, statements of commercial account, court records, letters whether to private persons or the public prints, instructions, and other memoranda, reports, diaries and journals.¹

^{*} Master's thesis in History, Louisiana State University, 1936.

¹ Ulrich B. Phillips and James D. Glunt, Florida Plantation Records, from the Papers of George Noble Jones (St. Louis, 1927), 3-4.

By the use of such original sources this study is an attempt to follow the career of one man in his pursuits as a planter. John Hampden Randolph, a native of Virginia, started his career as a cotton farmer in Wilkinson County, Mississippi, and later moved to Iberville Parish, Louisiana, where he became a sugar planter, engaging continuously in this branch of agriculture until his death in 1883.

Perhaps the study would be much more interesting and readable if more material was available to throw light upon the personal traits and characteristics of the planter, as well as upon the events of interest in his life. Due to this fact much about the character and personal facts in the life of Randolph, his ancestors and descendants will necessarily be deduced from material given, or omitted entirely.

Most of this article is concerned with the plantation as an economic structure of the agricultural region. Such things as the financial transactions, including sales and purchases of land and other property, production of cotton, sugar and molasses, and other crops, contracts, and similar undertakings are brought out; but the writer hopes that the study will not become boresome because of the inclusion of too much of such material.

In 1858 Randolph built a beautiful mansion on his plantation in Iberville Parish and named it "Nottoway" after the county in Virginia from which we are told the Randolphs came. This stately structure still stands, and has recently been called by a writer in Holland's Magazine "one of America's most beautiful country homes of the ante-bellum type." Nottoway is between the towns of Bayou Goula and White Castle, not far from the Mississippi River, and at the present time is owned by Dr. Whyte G. Owen, who resides there with his family. Quite necessarily a word concerning the construction of the house, and a description of it, cannot be left out. The setting of a novel, The White Castle of Louisiana, is none other than Randolph's "Nottoway." The author of this book, whose pen name is M. R. Ailenroc, is in reality Cornelia Randolph Murrell, a daughter of John Hampden Randolph.

The records are most plentiful for the years 1840 to 1870, with stress on the period preceding the Civil War. Like many other Southern planters, Randolph was not very successful in a

pecuniary way during and after the War, but he held on to his land and continued to be a prominent Louisiana farmer until the time of his death.

The materials used in writing this study are of a varied sort. They are principally original sources—papers collected by Randolph and his descendants, which include private correspondence, inventories, cotton record books, crop reports, expense books, diaries, bank accounts, deeds of purchase and sale, and various other similar manuscripts dealing with his business affairs. These papers are in the possession of the Louisiana State University Library, Division of Archives, and are cited throughout the study as the "Randolph Collection." Other sources used are parish and county conveyance records, newspapers, official government documents, pamphlets, periodicals, interviews with members of the family, and the general published sources.

CHAPTER I

THE RANDOLPHS ESTABLISH THEMSELVES IN THE NEW SOUTHWEST

Throughout the history of the United States the student is constantly confronted with a westward movement which started almost from the time when the earliest settlers set foot upon the eastern seaboard. In the latter part of the eighteenth and the early part of the nineteenth century this movement became more general and was very apparent in the South, especially so after the opening of the Alabama-Mississippi region for settlement. This region experienced a rapid increase in population during the half century preceding the Civil War. The population of the area which now comprises these two states rose, in round numbers, from 40,000 in 1810 to 200,000 in 1820, 445,000 in 1830, 965,000 in 1840, 1,375,000 in 1850 and 1,660,000 in 1860, and the proportion of slaves increased from forty to forty-seven percent. This vast increase in population was accompanied by a corresponding increase in the production of cotton during the period. From Alabama and Tennessee westward the increase in the percentage of the entire country's output of cotton was as follows: one-sixteenth in 1811, one-third in 1820, one-half before 1830, nearly two-thirds in 1840, and quite three-fourths in 1861.2

² Ulrich B. Phillips, American Negro Slavery (New York, 1918), 171-72.

Many individual reasons may be attributed for this westward migration, but without doubt the primary one was to take up new lands after the old ones had been worn out from lack of crop rotation. Much of this new land was cheap, very suitable for cultivation, and extremely easy to acquire. Other reasons or, in some cases, excuses, for migration, were the desire for a change of climate or the ambition to continue a profession in a new country.³

The people of the eastern seaboard states were much concerned over this westward migration, and wished to curtail it or stop it altogether. An extract from an article printed in the *Lynchburg Virginian*, September 27, 1832, is expressive of the viewpoint of the leading citizens of the East on this question:

The constant emigration to the great West of our most substantial citizens, the bone and sinew of the country, and the declension of our business which is the daily subject of complaint among our mercantile men and of which our naked streets and untenanted houses are such emphatic evidence—admonish us that something must be done to impede our downward course.⁴

One of the two most attractive areas for settlement in the Southwest was a tract which extended along both sides of the Mississippi River from northern Tennessee and Arkansas to the mouth of the Red River. This area was composed of broad alluvial bottoms and occasional hill districts of rich loam. The settlers were especially attracted by the hill district lying about Natchez and Vicksburg, which was called the Natchez District. There were few white settlers in this region before the erection of Fort Rosalie at Natchez in 1716. Before that time the district was the undisputed possession of the Choctaw and Chickasaw Indians. After 1716 the population increased slowly until the British came into possession of the region in 1763, from which time the increase was rapid.

An inducement which loomed large in the eyes of the settlers around Natchez was the nature of the soil. The lands on either bank of the Mississippi River were exceedingly fertile. From the seaboard came persons of means bringing with them their slaves and other property. As the rich lands were cleared and

³ Ulrich B. Phillips, Life and Labor in the Old South (Boston, 1929), 104-06.

⁴ Ulrich B. Phillips, ed., Plantation and Frontier (John R. Commons, et al. [eds.], A Documentary History of American Industrial Society, 11 vols. [Cleveland, 1910-1911]), I, 196-97.

⁵ Phillips, American Negro Slavery, 171-72.

the settlers prospered, more slaves were brought in and more lands were cleared. The two principal sources of slaves were from the Atlantic coast and from the West Indies through the ports of Pensacola and New Orleans.6

In the early part of the nineteenth century the soil of the Natchez District was very rich and was valued highly. Some of the choice lands about the town of Natchez sold for as much as twenty dollars per acre. It was a common thing for planters in this area to own as many as a hundred slaves, and some had as many as three hundred. Slaves sold for \$500, and those with extraordinary qualifications were worth from \$600 to \$900 each.7

Natchez, the principal town of the district, was situated on a high bluff on the east bank of the Mississippi River. In 1810 it contained about 300 houses and approximately 2,500 inhabitants, including Negroes. The cultivation of cotton early became the chief farming industry in this district. Many residents of Natchez turned their attention to the cultivation of that staple and its preparation for exportation. As early as 1806 some planters valued their crop at \$40,000, and many cotton plantations yielded from \$5,000 to \$20,000 per year.

For a number of years the cultivation of indigo was tried in this area as well as in the adjoining territory, now the state of Louisiana. However, the indigo culture caused a high death rate among the slaves employed in it, and after a time this experiment was gradually abandoned.8

The Natchez District and Wilkinson County, Mississippi, have a common history in that the County was carved out of the District. Wilkinson County was created on January 30, 1802, during the administration of Governor William C. C. Claiborne, being the fifth county to be organized in the new Mississippi Territory. It derived its name from General James Wilkinson, who was then in command of the United States troops in the Southwest. The county was created by an act of the General Assembly which divided the county of Adams into two parts, one of which became Wilkinson. As then defined Wilkinson County had an area of 667 square miles. In 1810 it had a population of

⁶ Mississippi Historical Society Publications (Oxford, Miss.), XI (1910), 72-82.

⁷ Christian Schultz, Travels on an Inland Voyage Through the States of New York... and Through the Territories of Indiana, Louisiana, Mississippi, and New-Orleans..., 2 vols. (New York, 1810), II, 132.

⁸ Thomas Ashe, Travels in America Performed in the Year 1806 for the Purpose of Exploring the Rivers Alleghany, Monongahela, Ohio, and Mississippi... (London, 1809), 287-90.

5,068, according to the United States census; and in 1837 it had nearly 13,000. The county court was first held at Fort Adams, then at Pinckneyville, but shortly afterwards it was moved to Woodville, which was incorporated in 1811. Woodville has remained the county seat until the present day. About 1816 Wilkinson County had an area of 612 square miles and Adams County contained only 414 square miles, but Adams had a larger population due to the sizable city of Natchez.

Among the migrants who came west was Judge Peter Randolph of Lunenburg County, Virginia, who came to Mississippi in 1819. He was born in Virginia in 1780, the descendant of Colonel William Randolph I, the progenitor of the family in America. William Randolph I, who came to Virginia in 1673, was a nephew of Thomas Randolph, one of the group of poets adopted by the famous Ben Jonson as his "sons". William lived some thirty-eight years in Virginia¹¹ and became clerk and speaker of the House of Burgesses, being appointed clerk of the Committee of Propositions and Grievances on April 22, 1683,12 and later elected Speaker on September 30, 1698.13 He was a successful planter and shipowner, and he built up an estate at Turkey Island. He had nine children, seven sons and two daughters, "and in process of time the descendants of their children spread over Southside Virginia almost as thickly as young pines sown by the winds do over one of its broom sedge fields." Among the descendants of William Randolph I were such famous men in American history as Thomas Jefferson, John Marshall, Robert E. Lee, John Randolph of Roanoke, and innumerable others whose names alone would fill pages.14 A biographer of John Randolph wrote:

[&]quot;The county of Adams shall be divided as follows, to-wit: Beginning on river Mississippi at the mouth of the Homochitto River, thence running up the Homochitto River to Richards ferry, thence by a line running due east to the western boundary of Washington County; and all that tract of country south of the above described boundary, to the line of demarcation, shall compose a country, which shall be called Wilkinson." June 29, 1822, the river Homochitto was declared to be the dividing line between the counties of Adams and Wilkinson, from its mouth to its intersection with the basis meridian line; and from thence the said river was made the line of demarcation between the counties of Wilkinson and Franklin, as far as the mouth of Foster's Creek. In 1846, the north channel of the Homochitto, where it forms an island below the lower or western Natchez and Woodville road was declared to be the boundary between Wilkinson and Adams, and Tanzy Island was embraced within the limits of Wilkinson." Dunbar Rowland, History of Mississippi, the Heart of the South, 2 vols. (Jackson, 1925), II, 856.

¹⁰ William Darby, A Geographical Description of the State of Louisiana, the Southern Part of the State of Mississippi, and the Territory of Alabama . . . (New York, 1817), 305-06.

11 William C. Bruce, John Randolph of Roanoke, 1773-1833, 2 vols. (New York, 1922), I. 9-15.

¹² Virginia, Journals of the House of Burgesses, 1659/60-1693 (Richmond, 1914), 164.

¹³ Virginia, Journals of the House of Burgesses, 1695-1697, 1701-1702 (Richmond, 1913), 120.

¹⁴ Bruce, John Randolph of Roanoke, I, 9-15.

In the last days of colonial history, the Randolphs were numerous and powerful, a family such as no one in Virginia would wish to offend; and if they were proud of their position and importance who could fairly blame them? There was even a Randolph of Wilton, another of Chatsworth, as though they wished to rival Pembrokes and Devonshires. There was a knight in the family of old Sir John, six sons of William of Turkey Island and father of Peyton Randolph, who was afterwards president of the American Congress. There were members of the Council and the House of Burgesses, and innumerable lists of blood relations and a score of allied families, among the rest that of Jefferson. Finally the King's Attorney General was at this time a Randolph.¹⁵

As the descendants of William Randolph I of Turkey Island multiplied and spread far and wide over Virginia and later over the entire country, it is extremely difficult to trace accurately, from available sources, the direct line from William down to John Hampden Randolph, the sugar planter of Louisiana. There was a Peter Randolph I, grandson of the first William and son of the second, who became clerk of the Virginia House of Burgesses on May 22, 1740,16 and the King's Attorney General. One source says that this Peter had three sons who became cavalry officers in the Revolutionary War. Richard, the son of Robert, also became an officer of cavalry during the Revolution. Judge Peter Randolph of Lunenburg County, who came to Mississippi in 1819, was the son of the abovementioned Richard. Another source states that a Henry Randolph, a direct descendant of William I of Turkey Island, had six sons, whose names were Henry, William, Peter, Thomas, Robert, and Richard, and that Peter, Robert, and Richard were cavalry officers in the Revolutionary War. The following information, gleaned from a history of the Randolph family and taken "from old letters and family knowledge," indicates that the second of these sources is probably the more accurate. It states: "Colonel Peter Randolph (third son of the above Henry) born about 1750, married Sarah Greenhill of Virginia (first cousin of Martha Dandridge Custis Washington, wife of George Washington, president of the United States—according to cousin Sallie Fort) lived in Nottoway County, Virginia. She (Sarah Greenhill) died April 24, 1830,

¹⁵ Henry Adams, John Randolph (Boston, 1889), 3-4.

¹⁶ Virginia, Journals of the House of Burgesses, 1736-1740 (Richmond, 1910), 391.

¹⁷ P. R. Randolph to John H. Randolph, April 10, 1877, concerning genealogy of the Randolph family, in John Hampden Randolph Collection. This collection is in the possession of the Louisiana State University Archives. It was preserved by the descendants of J. H. Randolph.

aged sixty-nine. Peter died in Georgia. They had the following issue: I. Peter; II. Sallie G. (who married Wm. Yates)." The last mentioned Peter was the one who came to Mississippi in 1819. Before he came to Mississippi he was Judge of the Virginia Court of Appeals. After his migration to Mississippi with his family and all his slaves, he settled near Woodville. 18

After moving to Mississippi Judge Peter Randolph practiced law in partnership with Judge Harry Cage of that state. When Mississippi was admitted to the Union in 1817, the distinctive state courts were organized and with them the United States courts with judges appointed to preside over them. In Wilkinson County such a Federal court was established and a circuit judge was appointed. The first presiding judge was William B. Shields, who held office from 1818 to 1824. He was succeeded by Judge Peter Randolph, an appointee of President Andrew Jackson, who held office until his death in 1832.19 Judge Randolph was given a temporary commission on June 25, 1823, and a permanent one on December 9, 1823.20 Due to his practice of law with Judge Cage and to his professional service as judge, Randolph established a name for himself as a member of the bar in the state, "and his opinions on legal questions carried great weight."21

Randolph was married twice, first to Miss Sallie Cocke of Virginia, then to Miss Percy of Mississippi. By his first wife he had six children, Algernon Sidney, Sallie Anne, Augusta, John Hampden, Julianna, and Cornelia. By his second wife he had a son named Peter, who studied medicine and practiced his profession for a long time in East Baton Rouge Parish, Louisiana.²²

John Hampden Randolph was born in Lunenburg County, Virginia, on March 24, 1813, where he spent part of his childhood. He was only six years old when he came to Mississippi with his father and mother and the rest of the family. Little is known about his life in Virginia or of his boyhood days in Mississippi. His mother died when he was only eleven. Very little mention is made of her.²³

10 Mississippi Historical Society Publications, II (1899), 152.

¹⁸ Cornelia Randolph Murrell, "History of the Randolph Family," MS. Loaned by Mrs. William Whipple of Baton Rouge.

Biographical and Historical Memoirs of Mississippi . . ., 2 vols. (Chicago, 1891), I, 130.
 Biographical and Historical Memoirs of Louisiana . . ., 2 vols. (Chicago, 1892), II, 329.

²² Murrell, "History of the Randolph Family."

²⁸ Obituary of John H. Randolph, September 8, 1883. MS in Randolph Collection.

Dr. Peter Randolph of East Baton Rouge Parish, in a letter to Mrs. Cornelia Randolph Murrell, stated that pieces of the uniform and the sword used by his grandfather (Peter) in the Revolutionary War were still in the possession of his descendants. He wrote: "My grandfather was Peter Randolph, a Colonel of a regiment of cavalry in the old Revolutionary War, whose sword is still in possession of your mother (Emily Jane Randolph). My father (Judge Peter) had the old uniform for a long while, and he used to make your father (John Hampden), when he was large enough, to dress up in it to remind him vividly of his father. My grandfather's two brothers, Robert and Richard, were also cavalry officers in that war."24

At the time when Judge Randolph settled in Wilkinson County there were few educational opportunities for his sons in the district. Woodville, which had been incorporated in 1811, was a very small settlement, and even at the present time it has only about a thousand population. The entire population of the county of Wilkinson was only 5,068 in 1810, and a great part of this number was slaves.25

The nearest school was Jefferson College at Washington, Mississippi, which is a few miles from Natchez. There is a probability that Randolph attended that school. Sometime in the 1820's he did attend the private school of Mrs. John James Audubon, the wife of the naturalist, on the Thomas Percy estate in West Feliciana Parish, Louisiana.26

Robert Percy, formerly an officer in the British navy, came to America in 1796. He bought a plantation called "Weyanoke" on Bayou Sara, some fifteen miles from St. Francisville. On this plantation Mrs. Audubon established her school called "Beechwoods", not only for the benefit of the Percy boys and girls but also for a limited number of children of their wealthy neighbors. At this time St. Francisville, in West Feliciana Parish, was at the height of its prosperity, and its population was perhaps greater than it is at the present time. This accounts in a great measure for the success of Mrs. Audubon's school.27

With courage and fortitude she took upon her shoulders virtually the entire responsibility of supporting herself and her children, and carried their burden for years, in order

Murrell, "History of the Randolph Family."
 Mississippi Historical Society Publications, XI (1910), 79-82.
 Interview with Mrs. H. E. Upton of New Orleans, daughter of John H. Randolph, July, 1935.

27 Francis H. Herrick, Audubon, the Naturalist, 2 vols. (New York, 1917), I, 319-23.

that her husband might be free to continue his ornithological studies, and so successful was she that eventually she was earning close to three thousand dollars a year—and that, it should be remembered was in the 1820's not the 1920's! And when the time came it was Lucy Bakewell Audubon who provided the big part of the fund needed to launch John James Audubon upon his epochal undertaking.28

Little is known of Randolph's subsequent education.

Judge Peter Randolph died in 1832. The executors of his last will and testament were William C. Ventress, John Hampden Randolph, Richard T. Archer, and Algernon Sidney Randolph, all of Wilkinson County. In his will Judge Randolph authorized his wife and his executors, as they agreed, to sell or otherwise dispose of the plantation which at that time was called "Fealing Slave Plantation" but was later called "Elmridge".29 This plantation was sold to William Stewart on March 26, 1833, by his widow, Elizabeth Randolph, who had moved to Natchez after his death. Stewart paid \$7,450 for this property consisting of 745 acres, all of which was located on Bayou Sara. A certain small tract from the plantation was retained to serve as a burial ground for the heirs, children, or descendants of Peter Randolph.30 Judge Peter; his wife, Sallie; his mother, Sarah Greenhill Randolph; his sister, Mrs. William Yates, and her husband; his daughter, Cornelia Randolph Thornton, and her two sons, Charles and Algernon Sidney Thornton, were buried in this plot.³¹

A supposition is well founded that Peter Randolph gave a certain amount of his landholdings to his sons before his death. His eldest son, Algernon Sidney, owned land in Mississippi, Louisiana, and the Republic of Texas. He (Sidney) died in the late 1830's, and upon his death John Hampden was granted a power of attorney by Phebe E. Randolph, widow of his deceased brother,

29 Murrell, "History of the Randolph Family."

²⁸ Edward A. Muschamp, Audacious Audubon (New York, 1929), 146-47.

³⁹ Murrell, "History of the Randolph Family."

³⁰ "A tract situated in the county aforesaid on the waters of Bayou Sara adjoining the Sligo tract the line whereof beginning at a Magnolia on Lovelace corner, runs thence North 1914 perches (rods) to Holly, thence west 348 perches to a white oak, thence south 1805 perches to a white stake. Thence east 61 perches to a beach on a corner of the Sligo tract, thence south with the line of said tract 151 perches, thence south 35° 30" east 106 perches to a stake thence east 1125 perches to a white oak, thence north 229 perches to a corner near an old gin, thence east 114 perches to the beginning, containing 658 acres more or less. Also a tract adjoining the above including all the land lying between the boundary on the east and south of the same, and a line beginning at a white oak on a corner of the tract aforesaid and running north 26° 30" east 255 perches to the Magnolia on Lovelace's corner, aforesaid containing 81½ acres more or less. Also one other tract or parcel adjoining the eastern boundary of the last named tract and including all the land between said boundary and a line beginning at the Magnolia on Lovelace corner aforesaid and running East one perch and 6/10 to the center of the St. Francisville road, thence along said center to the intersection of the said eastern boundary of the last named tract, containing 6 10/100 acres more or less." Wilkinson County (Mississippi) Land Record Book "C," No. 208.

³¹ Murrell, "History of the Randolph Family." 31 Murrell, "History of the Randolph Family."

in regard to the settlement of her inherited possessions in Mississippi, Louisiana, and Texas. In this settlement the balance of assets over liabilities was found to be \$115,898.82. For his services as administrator of this succession, John Hampden Randolph received \$8,761.45 as his commission.32

As executor of the estate, Randolph was the holder of four promissory notes amounting in all to \$54,000, which were made by Peter Gernmell in favor of and endorsed by Joseph Neibert and James C. Wilkins.³³ These notes were placed in the hands of the Planters Bank of Woodville on March 23, 1841, as security for the repayment of money which it had loaned to the executors in connection with the settlement of the estate.34 The final settlement involved considerable litigation and it was not until February 1849, after a decree of the Probate Court of Wilkinson County, presided over by Judge Francis Gildent, that a final decision was rendered.35

On December 14, 1837, five years after his father's death, John Hampden Randolph married Emily Jane Liddell. They were the children of large landowners, perhaps among the richest planters of the district at this time. Randolph was twenty-four years of age, tall and handsome, over six feet in height, and the possessor of a strong personality. He was a member of the Episcopal Church.³⁶ Emily Jane Liddell was the third child of Moses and Bethia Liddell. Moses Liddell was born in the Abbeville District of South Carolina on March 5, 1785, the son of Andrew and Jane Johnson Liddell. Through her mother, Bethia Frances Richardson, Emily Jane Randolph was a descendant of the Marquis de Lesselyne, a Huguenot refugee from France.³⁷

An interesting occurrence in the life of the mother of Moses Liddell is an account of the seizure of the father's home during the Revolutionary War. A band of Tories and Cherokee Indians set fire to his house. During the conflagration he escaped, but he

³² Decree of Probate Court, Wilkinson County, Mississippi. MS in "Settlement of Estate of Algernon Sidney Randolph," Randolph Collection.

33 Agreement between James C. Wilkins and John H. Randolph, 1838, Randolph Collection. The notes were, one of \$12,000 due January 1, 1839, another for \$13,000 due January 1, 1840, one of \$14,000 due January 1, 1841, and one of \$15,000 due January 1, 1842. As collateral security for the payment of these notes Wilkins gave the following notes on George N. Parks, which were secured by mortgages as follows: one note due on the first day of January, 1842 for \$21,275, and two other notes for the same amount each due on January 1 of successive years. Parks was given the privilege in this agreement of paying the notes in cotton to be delivered to New Orleans at 10¢ per pound.

34 A. M. Fettus' report for notes and stock placed with the Planters Bank of Woodville as collateral security, March 23, 1841, Randolph Collection.

35 Agreement between James C. Wilkins and J. H. Randolph, ibid.

36 Interview with Mrs. H. E. Upton, July, 1935.

37 Murrell, "History of the Randolph Family."

was severely burned and died shortly afterward. Evidently Jane was not at home at the time, but the marauders stripped the family of all their belongings.³⁸

In October 1805 Moses Liddell moved from the Pendleton District of South Carolina to Mississippi, and after living at Greenville and Natchez finally settled in Woodville in January 1812. On October 20, 1814, he married Bethia Frances Richardson, and to them were born six children, whose names and dates of birth are as follows: St. John Richardson, December 6, 1815, who later became prominent as a Confederate general; Nancy C., October 12, 1816; Emily Jane, January 25, 1818; Bethia Frances, August 15, 1819; Moses, February 18, 1821; and James, September 8, 1822. Moses and James lived only a short time. Mrs. Moses Liddell died in 1824 after an illness of nine days.³⁹

In the early 1820's Moses Liddell served as representative from his district to the state legislature.⁴⁰ He was interested in agriculture as well as in the practice of his profession, and in 1815 he purchased a plantation called "Elmsby" near the town of Woodville, at which place he settled. In a letter written to a friend on December 24, 1830, he stated that he "made the first crop almost in the woods". A typical early settler, he cleared more land as he prospered. As more money was made, more land was purchased and more slaves were brought in to cultivate it.⁴¹ As early as 1822 a record is found of the receipt of a sum of \$9,500 by Moses Liddell and Bethia F. Liddell, his wife, from the sale of 240 acres of land to John A. Shaw.⁴²

Moses Liddell and St. John Richardson Liddell, his son, had property in Louisiana, as also did Francis D. Richardson, the son-in-law of Moses Liddell, who owned a sugar plantation in St. Mary Parish, Louisiana. These circumstances undoubtedly had some influence in causing John Hampden Randolph to become interested in the cultivation of sugar cane, despite the fact that he was already a successful cotton planter. It is highly probable that John Hampden Randolph was considering a move to new fields as early as 1835. In May of that year he sold a portion

42 Wilkinson County, Land Record Book "C," 208.

³⁸ Family Record written by Moses Liddell, December 24, 1830, MS, Randolph Collection.
³⁹ Robert Lowry and W. H. McCardle, A History of Mississippi (Jackson, 1891), 605-07.

⁴⁰ Genealogical record of Bethia Liddell, recorded by Frank L. Richardson, October 26, 1885, Randolph Collection.

⁴¹ Family Record written by Moses Liddell, Randolph Collection.

of his land, thirty acres, to Benjamin Ferguson for the sum of \$200.43

On March 9, 1841, Randolph purchased a plantation in Iberville Parish, Louisiana, from Dr. Henry A. Doyle for the sum of \$30,000. Only \$863 of this amount was paid in cash, but Randolph was to pay the remainder over a period of four years. This property was located on the south side of Bayou Goula, and was bounded on the north by the land belonging to Paul O. Hebert and on the south by land belonging to the United States. Doyle had purchased this land on June 19, 1834, partly from the government and partly from Gideon Pearce.⁴⁴

The development of Randolph's plans to move to Louisiana are more clearly seen from the fact that in October of the same year (1841) he disposed of his property in Wilkinson County. For the sum of \$9,000 he sold to Benjamin F. Hebert all of the northwest quarter of Section 20 in Township 1 of Range 3, containing 158 75/100 acres, and also a strip in Section 19 in Township 1 of Range 3 west, containing 300 acres, with the exception of thirty acres laid off by himself in a deed bearing the date of May 30, 1835. He also sold another tract of land, being a part of the southwest quarter of Section 20 of Township 1, Range 3 west, containing forty acres, with the addition of thirty acres which had been surveyed by Benjamin Ferguson on May 30, 1836. The entire tract contained 498 71/100 acres. Randolph had bought this land from William S. Lewis. The land was a part of Lewis' wife's dowry, but he did not have a clear title because Mrs. Lewis had not granted a legal and valid conveyance of her dower rights; and until she did this the sale could not be completed. And the

⁴³ The land was described as follows: "Lying in the county of Wilkinson on the waters of Bayou Sara Creek and beginning at a beach which stands in the Bayou that lies on the north of William Waters land, thence up said Bayou about 138 perches to a beach. then east 35, South 60 perches to a popular, then south 18, east 16 perches. Then east 35, north 70 perches to a bay and from thence to the beginning. Bound on the north by lands of John H. Randolph and on east by lands of William Waters. South by Benjamin Ferguson and on west by John H. Randolph." Ibid., "J." 56.

on west by John H. Randolph." Ibid., "J," 56.

44 The sale reads as follows: \$863 to be paid in cash to the vendor. The purchaser assumed the payment of a mortgage on the land in favor of the Union Bank of Louisiana for the sum of \$5,000 being for a loan of money made by the bank to Mr. Doyle on February 3, 1835, which mortgage was at the time reduced to \$2,750. The purchaser also assumed the payment of another mortgage on this property in favor of the Union Bank originally for \$7,800, being also for a loan of money to Doyle by the bank on December 2, 1837, but being now reduced to \$6,894.44. For the remainder of the cost, the purchaser signed four promissory notes payable to the order of W. C. Ventress and by him endorsed and payable at the office of Discount and Deposit of the Union Bank of Louisiana at Plaquemine. One of these notes was for the sum of \$1,588.86, to come due one year after date, the second note for \$5,201.85, payable two years after date, the third for the sum of \$5,201.84, payable three years after date, and the fourth for \$7,500, due four years after date. Randolph also agreed to substitute other slaves in place of twenty-four Negroes belonging to the vendor which were not mortgaged to the Union Bank. Iberville Parish (Louisiana) Record of Conveyance Book.

fact that Randolph did not have a clear title to the land probably explains why he did not move to Louisiana until the end of 1841. During the whole of 1841 he continued his agricultural pursuits in Wilkinson County.⁴⁵

On October 26, 1841, John Hampden Randolph, as executor for Emily Jane Randolph, his wife, put up for sale at auction a parcel of land, which was purchased by George Morris for \$5,000 on twelve months' credit. This property, situated about two miles west of Woodville, was the west half of the northwest quarter of Section 37 in Township 2 west, containing 861 acres. 46

When all these transactions were completed and he had finished his plantation task for the year 1841, Randolph moved with his family to Louisiana in December of that year. They traveled by coach, following the general course of the Mississippi River, until they reached a point opposite their future home in Iberville Parish. The little family, at the time composed of three members, crossed the river on a small ferry and settled at the place which they called "Forest Home." ⁴⁷

CHAPTER II

THE GROWTH OF THE ESTATE

Iberville Parish is located in the southeastern section of Louisiana and is bounded on the north by the parishes of East and West Baton Rouge and Pointe Coupée; on the south by Assumption and Iberia; and on the west by St. Martin and St. Landry. The Mississippi River flows through the eastern portion of the parish. This parish, composed of rich alluvial soils and wooded cypress swamps, contains an area of 643 square miles.¹

The parish has a rather long and interesting history. Its name is derived from the great French explorer, Pierre Le Moyne, Sieur d'Iberville. The early settlers were principally of French and Spanish descent, and the earliest record of the population is that made by O'Reilly in 1769, at which date it had only 376 inhabitants. Louis Dutise was commandant and judge of the "District of Iberville" in 1770, when he was succeeded by N.

⁴⁵ Wilkinson County Land Record Book "M," 446.

⁴⁶ Ibid., 532.

⁴⁷ Interview with Mrs. Moses Liddell Randolph of Bayou Goula, wife of Moses Liddell Randolph, July, 1935.

¹ Alcée Fortier, ed., Louisiana; Comprising Sketches of Counties, Towns, Events, Institutions, and Persons, Arranged in Cyclopedic Form, 2 vols. (Atlanta, 1909), I, 549-50.

De Verbois. In the decade following 1765 the population of the parish was largely augmented by the influx of Acadians and people from the Canary Islands who located on the "Iberville Coast."2

"Iberville County" was established by an act of the Orleans territorial legislature in 1804. Later, in January 1807, when the Territory of Orleans was divided into nineteen parishes, Iberville Parish included Iberville County and the settlement of Galveztown. Point Pleasant, located about eight miles below Plaquemine on the right bank of the Mississippi River, was the first seat of justice, which was moved to Plaquemine in 1842.3

Plaquemine, the parish seat, is situated at the junction of Bayou Plaquemine with the Mississippi River. The bayou received its name from the large number of persimmon trees which grew along its banks; and the town derives its name from that of the bayou.5 Plaquemine was incorporated by an act of the legislature in March 1838.6

The town of Bayou Goula is located about thirteen miles below Plaquemine (following the river), on the same side. Bayou Goula (the bayou) was named for the Bayougoulas, a Muskhogean tribe of Indians inhabiting that region about 1700. "The name Bayou Goula is derived, through the medium of French, from Choctaw 'Bayuk' and 'okla', meaning 'Bayou or River People'." This bayou empties into Bayou La Butt, which eventually finds its way into Grand River.8 Many of the finest sugar plantations in the state were established and developed around this little town of Bayou Goula.9

The location of plantations was determined by the courses of the rivers and bayous, "which themselves determined the location of the tillable land." Before the building of levees, water annually overflowed the banks of the rivers and bayous. After each of these overflows the silt was deposited close to the river bank, and after many years there was produced in this manner land of great fertility, suitable for cultivation, and sloping to-

² Ibid., I, 550.

³ Ibid.

⁴ Biographical and Historical Memoirs of Louisiana, I, 238.

⁵ William A. Read, Louisiana Place-Names of Indian Origin (Baton Rouge, 1927), 51.

⁶ Fortier, Louisiana, I, 550.

Biographical and Historical Memoirs of Louisiana, I, 238.

⁸ Read, Louisiana Place-Names, 9.
9 Biographical and Historical Memoirs of Louisiana, I, 238.

ward the swamps in the rear. The tillable land usually extended back only the depth of one plantation. For this reason the owners measured the size of their holdings by so many "arpents de face" (arpents front). An arpent front was a strip of land having a width of one arpent upon the bank of the river or bayou, and extending in depth to forty arpents. The Mississippi River, flowing through Southeastern Louisiana, at one time had many outlets as far as two or three hundred miles above its present mouth. These bayous overflowed as did the river and consequently built up their own riparian strips of land, suitable for tillage. Bayou Plaquemine and Bayou Goula, both in Iberville Parish, were at one time outlets for the Mississippi, and they built up their rich banks, which were very desirable lands to own. 11

When Randolph removed to Iberville in 1841 it had a population of approximately 2,523 whites, 85 free colored, and 5,887 slaves. He settled on "Forest Home" plantation, which he bought from Dr. Henry A. Doyle in 1841. Forest Home contained over 2,000 arpents (about 2,000 acres), and was situated on the south side of Bayou Goula some five or six miles from the Mississippi River. It was named "Forest Home" by Randolph because it was partly composed of swamp land, heavily wooded, and the house was situated almost in the forest. The original house remains in existence today, but the kitchen extension and one wing have been removed.

During the years 1842 and 1843 Randolph planted most of his tillable land in cotton and the remainder in corn; but he had plans for becoming a sugar planter, which plans were realized in 1845. He found it to be a financial strain to get established in the sugar business, and as he was in need of cash, he tried to sell half of his land for \$20,000. However, according to the records, he did not find a ready sale for his land and was compelled to mortgage all his property on Bayou Goula in order to realize the necessary cash. On December 30, 1844, he secured a loan of \$15,000 on Forest Home plantation, which included all the land, amounting to 2,000 arpents, a grist mill, dwelling house, sugar mill, and forty-six slaves. The Bank of Louisiana

¹⁰ An arpent was equivalent to almost an acre. The Canadian arpent is about eighty-five per cent of an acre. The width of an arpent is about twelve rods.

¹¹ V. Alton Moody, "Slavery on Louisiana Sugar Plantations," in Louisiana Historical Quarterly, VII (April, 1924), 192-93.

Biographical and Historical Memoirs of Louisiana, I, 238.
 Interview with Mrs. Moses Liddell Randolph, July, 1935.

of New Orleans made the loan, and the note was made payable on December 28, 1845.14

Randolph's plans had also been held up due to the fact that G. W. Parks had not paid the amount due him from the settlement of his brother's estate. 15 However, on January 8, 1845, he received \$6,013.52 from Parks, who also signed an agreement to pay the balance due, on January 1 of the years 1847, 1848, and 1849, in three equal installments, with the additional proviso that if an overflow of the river should cause the ruination of Parks' crops, Randolph was to grant him an extension of time for payment, 16

Since his marriage in 1837, Randolph had from time to time borrowed money from his father-in-law, Judge Moses Liddell, and in June 1846 he owed Liddell approximately \$5,000. In a letter to her brother, St. John R. Liddell, Mrs. Randolph wrote: "I suppose you are out of debt and can take some pleasure in enjoying your income. I do not know when we will ever have that pleasure, perhaps when we get too old to enjoy it."17 However, there is evidence that Randolph's financial situation began to improve by the middle of the year 1846. In June of that year he wrote to Judge Liddell: "I have just returned from New Orleans and find that I have \$800 or \$1000 to my credit and if you should stand in need of any please let me know. When I was in the City the time before last I purchased the bonds of the Commercial Bank of Natchez. . . . "18

In the 1850's Randolph came into possession of a considerable amount of swamp land, which he purchased from the State of Louisiana for fifty cents an acre. 19 This land was located in the low area adjoining Grand River, which runs through the western part of Iberville Parish and empties into Grand Lake. On June 22, 1852, he bought all of Section 3 in Township 11 south, Range 12 east, containing 640 acres. On May 3, 1854, he purchased Lot 3 of Section 2 in the same Township and Range; and on March 5, 1855, he bought another tract in the same locality, being all of Section 4 and the west half of Section 8,

 ¹⁴ Record of Conveyance Book "W," No. 153.
 15 Decree of Probate Court, Wilkinson County, Mississippi. MS in "Settlement of Estate of Algernon Sidney Randolph," Randolph Collection.
 16 Agreement, George N. Parks and Randolph, January 8, 1845, Randolph Collection.
 17 Emily Jane Randolph to St. John R. Liddell, June 12, 1846, in possession of Mrs.
 L. B. Liddell of Baton Rouge, La.
 18 Randolph to Moses Liddell, June 30, 1846, in possession of Mrs. L. B. Liddell.
 19 Interview with Mrs. H. E. Upton, July, 1935.

containing a total of 960 acres. On April 4, 1855, he bought still more swamp land located in Township 10 south, Range 12 east, embracing the following tracts: All of Section 53, except thirty-six and a half acres in the northeast corner, containing 6031/4 acres; the west half of Section 87, containing 320 acres; the west half of Section 88, containing the same number of acres; and the northwest quarter of Section 93, containing 160 acres. In all, these swamp lands amounted to 3,607 acres.²⁰ Holmes Hutchinson's swamp lands adjoined those of Randolph. A special survey of the Randolph-Hutchinson swamp lands was made in 1884. There is no definite reason given for Randolph's accumulation of so much swamp land except the fact that the lumber which he used in the construction of sugar houses, a home, warehouses, and other buildings on his plantations, and the wood which he used as fuel for the sugar boilers was cut from the cypress, oak, and other trees in the swampy region.21

By the year 1852 Randolph had not yet received all the money due him from the settlement of his brother's estate, back in the early 1840's. He still held Parks' note for a portion of the original amount. However, on January 8, 1852, Parks acknowledged in writing an indebtedness to Randolph of \$7,626.70, which he promised to pay with interest, and it was stipulated that "Randolph in no manner was to relinquish any of his rights to enforce payment at any time under said mortgage or otherwise by suit."²²

By January 1855 Randolph's landholdings began to expand rather rapidly. On the fourth of that month he purchased from Firmin D. Landry a tract in Iberville Parish, which fronted the Mississippi River on the same side as his plantation, "Forest Home," and contained three arpents front by forty arpents deep. This was Lot 25 of Township 10, Range 13 east, and was bounded above by the property of Joseph A. Gallagher and below by that of Antoine Dubuclet, a free man of color. The sale included all buildings and other improvements then on the property. At the same time and from the same person, he bought another tract of land, being Lot 24 of Township 10, Range 12 east, and with this purchase thirteen slaves were included. In payment for this

20 Record of Conveyance Book "34," No. 38.

²¹ Patents granted by the Register of Land Office (Louisiana), 1860, Randolph Collection.

²² Parks to Randolph, January 8, 1852, Randolph Collection.

property Randolph gave \$7,850 in cash and \$1,150 owed by Landry in favor of the widow of Stephen Ross, which he paid to her. The balance of \$18,000 he promised to pay in two equal annual installments, falling due on February 20 of the years 1855 and 1856.23 This land was the plantation which he named "Nottoway."

On June 12, 1855, Randolph and his neighbor, Governor Paul O. Hebert, exchanged some of their land. Randolph gave 29.12 acres, being a part of Section 68, which was valued at \$145.41, for 8.26 acres, being a portion of Section 90, valued at \$42, both tracts situated in Township 10, Range 12 east. Hebert paid to Randolph in cash the difference of \$103.41. Both parties to this agreement contributed to a right-of-way through their property, Hebert granting forty feet and Randolph twenty-five. This exchange of land was made so that Randolph could construct a road between Forest Home and his newly acquired property on the river.24 This exchange with Hebert did not give Randolph a complete right-of-way, as tracts owned by other people were situated between his two plantations. On July 7, 1855, Randolph paid to William C. S. Ventress \$100 for a piece of land forty feet wide by thirteen arpents long,25 and made a similar agreement with Norbert Cropper by which he purchased for \$100 another forty foot strip, giving Cropper the right to use the road.26 Then, in order to complete the road between his plantations, it was necessary to buy another strip, this one from Pierre La Croix. This purchase was negotiated on May 16, 1856, Randolph paying La Croix \$50 for the northwest corner of Lot 2 of Section 94 in Township 10, Range 12 east.27

Mrs. Randolph's father, Judge Moses Liddell, died in the summer of 1856, while Randolph was traveling in the North on business. In a letter to her brother, St. John R. Liddell, Mrs. Randolph wrote:

I received the letter which you so kindly wrote informing me of the death of our poor father. . . . Mr. Randolph has been gone nearly a month. He was in Baltimore when I last heard from him. . . . Mr. Randolph does not expect to return before the middle of September.28

²³ Record of Conveyance Book "3," No. 558.
²⁴ Ibid. "4," No. 58.
²⁵ Ibid., No. 66.
²⁶ Copy of Contract, Randolph and Norbert Cropper, June 28, 1855, Randolph Col-

 ²⁷ Record of Conveyance Book "4," No. 302.
 ²⁸ Emily Jane Randolph to St. John R. Liddell, August 3, 1856, in possession of Mrs.
 L. B. Liddell.

The settlement of Judge Liddell's estate involved much litigation, but in the final settlement each of his heirs received a large inheritance. In his will he wrote: "The property which I have before sold, and the debts due and owing to me therefor, I wish collected and divided amongst my children and heirs, viz. -St. John R. Liddell; Carolina Gillis, child of Nancy C. Griffin, deceased; Emily Jane Randolph; and the two surviving children of my daughter Bethia F. Richardson, late wife of Francis D. Richardson, to be equally divided amongst them. . . . That portion of my property in negroes, land in Texas etc., I wish to be divided into four equal parts." Lastly, he "appointed his son St. John R. Liddell and his son-in-law, John H. Randolph, the executors of his last will and testament."29 In the final settlement Mrs. Randolph received some \$35,000 in land, cash, and other property,30 and with this inheritance the assets of the Randolph family were definitely increased.

In the early part of 1857 Randolph began to look for land in other states besides Louisiana and Texas. He was interested in securing some property in the states of Wisconsin and Iowa. He appointed Andrew Levering of St. Paul, Minnesota, his agent for buying suitable property in the Lake Superior area. In a letter to Randolph, dated April 6, 1857, Levering wrote: "I certainly deem it wisest for you or others about making investments to do so at once. As soon as navigation opens the prices will range high for all classes of property. There is no doubt but that much money will be invested this summer in Bayfield and Superior lands."³¹ After much looking around and investigating locations, Randolph bought Lot No. 17, being part of Section 28 in Township 78 north, Range 4 east, in the state of Iowa, for which he agreed to pay to John S. Swits all debts which had been incurred by P. M. Housel, the former owner.³²

In the following month Randolph's attention turned to lands farther north. On May 5, 1857, he bought a tract of land in Minnesota from William Ferriday and Helen C. Ferriday, his wife, situated in the county of La Pointe, being half of the southeast quarter of Section 32 in Township 50 north, Range 4 west, for which he paid \$800.³³

Last Will and Testament of Moses Liddell. 1856, Randolph Collection.
 Emily Jane Randolph versus Randolph, July 16, 1872, Randolph Collection.
 Andrew Levering to Randolph, April 6, 1857, Randolph Collection.
 Copy of Sale of Land, John S. Swits to Randolph, April 28, 1857, Randolph Collection.

³² Copy of Sale of Land, John S. Swits to Randolph, April 28, 1857, Randolph Collection.

³³ Copy of Quit-Claim Deed, William Ferriday and Wife to Randolph, May 5, 1857, Randolph Collection.

In 1857 Randolph appointed T. L. Lyon as his agent, and in May 1858 he gave Lyon full power of attorney to "enter or purchase any such land or lands in the state of Iowa, and in such parcels and at such prices and on such terms, as he may deem best, for us Randolph and his wife, and to execute in payment in security of such purchase or purchases any and all necessary and proper promissory notes, mortgages, deeds of trust and voucher, whatsoever in any way growing out of or connected with such purchase or purchases. Also, in the name of us or either of us, to sell in such parcels, at such prices, and on such terms of payment as he may deem best, any and all lands which we now own or may hereafter own . . . in the state of Iowa."34 Lyon was Randolph's agent until April 1859, at which time he left Iowa for Pittsburgh and turned over the charge of Randolph's lots to Samuel W. Barber, a friend of Lyon. At this time Randolph had a balance of \$643 with Lyon, which was left with Barber to be used in the payment of taxes.³⁵ On April 28, 1857, Lyon wrote a letter to Randolph, in which he said:

Since the receipt of your letter in March, proposing to send me \$5000 to invest for you, I have been making enquiries concerning lands in Wisconsin, in the Lake Superior region and in Nebraska, as well as in this State (Iowa), and Minnesota. There is at this time very little, if any, good land in this state and Minnesota subject to private entry at government price, \$1.25 per acre, and the offices in Nebraska are not yet opened for private entry, nor is it known when they will be. I have no doubt a great deal of money could be realized by investing in land in that territory. I was offered a half interest in a claim of 300 acres adjoining the growing town of Florence, for \$15000 but as there was no government title as yet, to the land, nothing but "claim club" titles, I declined taking it although I think it will be speculation. On the eighteenth inst. I received a letter from J. W. Burbridge and Company (an investment house in New Orleans, through which Randolph carried on his business transactions over a long period of years) enclosing a Bill of Exchange for \$5000 for your account. The money arrived at a very opportune time, as money is extremely scarce just now—people submitting to sacrifice in the sale of property, for the sake of getting cash. Several opportunities of making excellent investments for cash have presented themselves. I have purchased for you in this city (Davenport) a lot sixtyfour by one hundred feet for \$3000, \$2387 cash, the balance, \$613 next March. I have also purchased 160 acres of good

 ³⁴ Grant of Power of Attorney to T. L. Lyon, by Randolph, May 15, 1858, Randolph Collection.
 35 T. L. Lyon to Randolph, April 30, 1859, Randolph Collection.

land in this county for \$1100-also an undivided half of eighty acres near the city of Bayfield on Lake Superior for \$800. . .

Before making any of the purchases mentioned I made particular enquiries concerning them-went to see some of them and consulted with several friends particularly Mr. Ferriday and Mr. Crampton who have given a great deal of attention to real estate in this region, and all consider them bargains. .

I am offered a beautiful lot in the upper part of the city, for \$400 cash, altho' similar lots are selling for from \$600 to \$700, one third cash, balance one or two years with ten per cent interest. But I have not been able to take it.36

In the following month (May 1857) Lyon wrote to Randolph again, telling of a good piece of land which he had bought:

Among the purchases I made for you was one of nearly six acres of land above the city of Davenport with a fine view of the river and surrounding country. I considered the property so cheap that altho' I had paid for other purchases, nearly all the money you had sent me, I concluded to take this for you at \$900. So I paid \$650 cash and gave my note for the balance (\$250) at thirty days. . . . Property is changing hands in great quantities this spring and at good advances in prices paid last year, and will, I confidently believe, continue to advance.37

Thus Randolph came into possession of these lands in the North. There are no records available to show how he used them or what became of them, and it is doubtful whether he ever visited these states where his lands were located. The subsequent disposal of these lands is unknown, but it is supposed that they were sold or forfeited for non-payment of taxes during the years following the Civil War.

On February 2, 1856, the year previous to his purchase of northern property, Randolph bought a tract of land from Mrs. Joseph Bangon for \$11,000, \$6,000 of which he paid in cash and the balance of \$5,000 in March 1857. This land adjoined the property which he had purchased from Landry, and measured two arpents and thirty-six feet fronting the Mississippi River by forty arpents in depth.38 Because of the higher value of land along the river, Randolph was evidently trying to acquire more in that location.

His next purchase was made on March 30, 1857, at which time he bought a lot situated in the town of Bayou Goula. He

 ³⁶ Lyon to Randolph, April 28, 1857, Randolph Collection.
 ³⁷ Lyon to Randolph, May 27, 1857, Randolph Collection.
 ²⁸ Record of Conveyance Book "4," No. 150.

paid Mrs. Harriet H. Winn, widow of Thomas C. Vaughn, \$4,000 for this tract, one-third of which was paid cash and the balance in two equal installments payable on March 1 of the years 1858 and 1859.39

At this time Randolph was at the height of his prosperity and had become a successful sugar planter. However, his neighbor, Franklin Hudson, was not so prosperous, as he was in debt and was handicapped by poor health. James W. Burbridge wrote to Randolph on February 9, 1858, reminding him of this fact and suggesting to Randolph that he buy a half interest in the plantation and take over its management. Burbridge wrote:

Your neighbor and (our) mutual friend is certainly in bad health which is assisted by depression of spirit owing to his pecuniary embarrassments which he now feels terribly. I have been thinking over his condition and his best plan of relief, and it has suggested itself to me, that if you would buy half the plantation, and take, the control and general management, that the plantation could be soon brought out of debt and without any outlay of money on your part.40

Randolph took Burbridge's advice so far as buying a half interest in Hudson's plantation was concerned, but Hudson continued to manage it. Randolph paid \$35,000 for a half of the plantation (which was called Blythewood), part of which Hudson owed him for a loan made on March 15, 1854. The purchase included a half interest in all property on the plantation, consisting of mules, cattle, sheep, slaves, etc.41 This plantation was

as The location of this lot reads as follows in the Conveyance Book: "A certain lot of ground lying and situated in Iberville Parish in the Village of Bayou Goula, measuring on the north side, 284 feet, on the south side 267 feet, on east 220 feet, on west 200 feet. Bounded towards the River by lot of Assene Breaux, towards woods and in rear by land of William and George Murrell, and in front by public lane." Record of Conveyance Book "5." No. 21.

*O Burbridge to Randolph, February 9, 1858, Randolph Collection.

*I The sale reads as follows: "Franklin A. Hudson sold to J. H. Randolph the undivided half share and portion of all property described: (1) A certain plantation situated on the north side of Bayou Goula, measuring ten arpents front on said bayou, containing 800 arpents, bounded in front by said bayou, east by land of Governor P. O. Hebert and Dupuy and Lawes; west by lands of Joseph D. Hamilton and north by lands of John P. R. Stone and J. B. Craighead. (2) Certain tract of land, east half of Section forty-five, and forty-eight, Township ten, Range twelve, East, west of Mississippi River, containing 365 acres. (3) Another tract of land—being designated as Lots three and six of Section forty-five, and Lot one of Section fifty in Township ten, Range twelve, East, containing 296.70 acres. (4) Another tract of land containing 78.36 acres, designated as Lot two, Section fifty, Township ten, Range twelve, East. (5) Twenty-five mules, six horses, about thirty heads of horned cattle, all sheep, hogs, now being and belonging to said plantation. (6) The undivided half part of twenty-nine slaves, all being attached to said plantation. (6) The undivided half part of twenty-nine slaves, all being attached to said plantation. To be paid for as follows: (1) One special mortgage in favor of Louisiana Bank for \$9000 as security for payment of promissory note signed by F. A. Hudson, April 5, 1853, payable one year after date being for money loaned to Hudson and wife by Bank, now reduced to \$5400. (2) Special mortgage i

situated on the north side of Bayou Goula at about two and a half miles from the Mississippi River. Hudson had named the plantation "Blythewood," but the available records fail to reveal the reason for the selection of this name.

On the day of the sale Randolph and Hudson entered into an agreement for the purpose of cultivating this plantation for a period of five years. Both were to share profits and losses equally, but the management was to be under the supervision of Hudson, and he was to live in the house during the term of the contract.⁴²

At this time, in order to finance his many business transactions, Randolph found it necessary to secure a loan from the Bank of Louisiana in New Orleans. On May 14, 1858, he borrowed \$22,000, which he promised to repay at the end of one year.⁴³

By 1860 Randolph was able to purchase more land in Iberville Parish. On February 27, 1860, he bought a parcel from Adele Sigur, being "a certain tract of land . . . at Bayou Goula landing, measuring thirty-four feet toward the river by one hundred fifty feet in depth, the rear line measuring fifty-four feet." This lot cost Randolph \$500, for which he gave eleven promissory notes payable as follows: one for \$166.66 2/3, payable on March 1, 1860; five of \$33.33 1/3 each, payable on March 1, 1861; and five more of \$33.33 1/3 each, payable on March 1, 1862.44

On March 2, 1860, Randolph sold a piece of property, which was the first instance of a sale of any of his landed possessions in Iberville since he established himself there in 1841. On that day he sold to Governor Paul O. Hebert a half interest in the lot which he had recently purchased from the succession of Adele Sigur. Randolph and Hebert utilized this lot at Bayou Goula landing for the construction of a warehouse in which to store their plantation goods. The warehouse was built by Gustave Landry at a total cost of \$190, not including the lumber which Randolph and Hebert supplied from their own timber lands.⁴⁵

The year 1860 was one of the most prosperous ones which Randolph had yet experienced, if we may judge by the amount

 ⁴² Record of Conveyance Book "5," No. 235.
 ⁴³ Acknowledgement of Debt by Randolph to Bank of Louisiana, May 14, 1858, Randolph ollection.

Collection.

44 Record of Conveyance Book "7," No. 73.

45 Contract, Gustave Landry and Randolph and Hebert, June 5, 1860, Randolph Collection.

of land purchased by him during that year. On April 20, 1860, he purchased another tract of land from Emile L. Sigur, a successor of Adele Sigur, for \$8,767.50, \$5,260.50 of which he paid in cash, and the balance of \$3,507 in two equal installments due on March 12 of the years 1861 and 1862; but in order to meet these obligations he found it necessary to place a special mortgage on his property. This tract of land was located near Randolph's other plantations.46

On May 4, 1860, Randolph bought at public auction, from F. V. Gallagher, a tract of land and three slaves: Andy, aged thirty-two; Lucinda, aged twenty; and Amos, aged twenty-seven. The purchase price for the land and Negroes was \$10,000, of which \$2,500 was paid in cash, the balance being represented by three promissory notes of \$2,500 each, one of which was due in March of the years 1861, 1862, and 1863, respectively.⁴⁷

On May 14, 1860, Randolph bought still another tract of land, this time from Mrs. Adeline Gallagher, widow of Gilbert Comeaux. This tract measured two arpents front and was bounded above by the land of Emile Sigur and below by the land which Randolph had purchased at the auction sale on May 4, 1860. The purchase price of this tract was \$10,000, payable on the same terms as those for the F. V. Gallagher tract bought on May 4.48 And on the same day (May 14, 1860) Randolph bought still another tract of land. This tract was purchased from Joseph A. Gallagher. It measured one and a half arpents front on the Mississippi River by forty arpents deep, and the price was \$10,000, which was to be paid on the same terms as those agreed upon in the purchases from F. V. Gallagher and Mrs. Adeline Gallagher.49

There is no record to show that Randolph bought any more land between the date of his last purchase in 1860 and the year 1871. Conditions produced by the Civil War doubtless placed him in embarrassed financial circumstances, but he held on to his land and carried on his planting operations as best he could.

⁴⁶ Record of Conveyance Book "7," No. 172.

⁴⁷ The sale read as follows: "... measuring one and one half arpents in front on the Mississippi River by forty arpents in depth. Bounded above by land of Emily Sigur, below by land of Joseph A. Gallagher, and in the rear by land of the widow of Gilbert Comeaux ... Another tract—the undivided half of a certain tract of land ... back and adjoining a tract of land of Joseph A. Gallagher at about eighty arpents from the margin of the Mississippi River, measuring two arpents front toward the Mississippi; bounded in front by land of J. A. Gallagher, in rear by land of Emily Sigur, above by land of Adeline Gallagher, and below by land of John H. Randolph." Ibid., No. 173.

⁴⁸ Ibid., No. 210.

⁴⁰ Ibid., No. 211.

During the Reconstruction era he again began to purchase land. On January 13, 1871, he purchased the remaining half interest in the Blythewood plantation of Franklin Hudson, containing some 800 arpents. Randolph already owned an undivided half interest in this plantation, which he had purchased in 1858. This plantation included the east half of Sections 45 and 48 north, Township 10, Range 12 east; Lot 3 in Section 45 and Lot 1 in Section 50 in Township 10, Range 12 east, containing 296.70 acres; and Lot 2 in the same Section, Township, and Range, containing 78.36 acres. In addition to the land, twenty-five mules, horned cattle, hogs, carts, wagons, plows, etc., were included in the transaction. Randolph paid \$10,718.48 in cash and signed two notes for the balance, one for \$3,000 and the other for \$4,281.52.50

On February 12, 1871, Randolph purchased the Bayou Goula plantation, which contained 1182.24 acres, for which he paid \$4,500 in cash. This evidently proves that Randolph was an exceptionally good business man, as most planters had very little cash on hand during Reconstruction days. He bought this plantation at public auction at the Merchants Exchange on Royal Street, New Orleans. The Bayou Goula plantation was formerly owned by William C. E. Ventress, who became bankrupt and lost the plantation. It was situated on the southeast side of Bayou Goula, between the land belonging to Paul O. Hebert and Randolph's Nottoway plantation and other plantations on the river, and was composed of Lots 78, 83, and part of Lot 79, all in Township 10, Range 12 east, having a frontage of thirty acres on Bayou Goula.⁵¹

At this time Randolph's estate in Louisiana was at its greatest extent, amounting to well over 7,000 acres. His land and movables alone were valued at \$49,150, on which he paid an annual tax of \$1,720, divided as follows: state tax, \$1,056.72; parish tax, \$344.05; parish school tax, \$73.72½; and a special judgment tax of \$245.75.52

His last purchase of land was made on March 6, 1875, at which time he bought a tract situated in Iberville Parish, on the right bank of the river, being a portion of Section 28 of Township 10, Range 13 east. The purchase price was \$588, of which \$196

⁵⁰ Ibid. "10," No. 260.
51 Sale of Plantation, E. E. Norton, Assignee, Estate of Foley, Avery and Company to Randolph, February 13, 1871, Randolph Collection.
52 Iberville Parish, Notice from Assessment Roll of 1871, Due in 1872, Randolph Collection.

was paid in cash and the balance in two equal installments, payable in one and two years, respectively. This purchase was made from F. Silvert Marionneaux. 53 From the date of this last purchase until Randolph's death in 1883, his possessions rapidly decreased by sales and other means.

CHAPTER III

A COTTON PLANTER, 1834-1844

In an earlier chapter we have seen how the people of the Atlantic seaboard states, after using up the best lands in that area, moved west to take up new lands. The districts around Natchez and Vicksburg, where the soil was exceedingly fertile, were very desirable regions. Many migrants from the East settled in this area and took up the growing of cotton. In 1786 the Sea-island variety became known in the South, but it was soon superseded by Upland cotton, a new variety which was introduced in 1793. This new variety was largely responsible for extending cotton culture toward the Southwest, as far as Texas.²

A variety of cotton from Mexico was introduced into Mississippi early in the nineteenth century. This variety was crossed with Upland cotton and the result, called "Mexican or Petit Gulf cotton," became the virtual basis of the typical Mississippi crop.3 It came into general use soon after 1820 and, with the various other strains developed from it, almost completely displaced the earlier varieties.4

In 1835 some 511,140 bales of cotton were produced in the Mississippi-Louisiana area, and by 1842 this amount had increased to 727,658 bales.⁵ By 1834 Alabama and Mississippi had moved up to the highest position among the cotton producing states of the Union, each producing about 80,000,000 pounds in that year.6

King Cotton reigned supreme in Mississippi before the war. Its cultivation at that time by slave labor gave better returns than any other industry in which planters could engage. Commission merchants in New Orleans, Memphis

⁸⁸ Record of Conveyance Book "12," No. 217.

⁵³ Record of Conveyance Book "12," No. 211.

¹ Phillips, American Negro Slavery, 172.

² Phillips, Plantation and Frontier, I, 85.

³ Charles Sackett Sydnor, Slavery in Mississippi (New York, 1933), 184.

⁴ Rowland, History of Mississippi, the Heart of the South, II, 516-18.

⁵ "Origin and Progress of the Culture of Cotton in America," in De Bow's Review, XVII (1854), 428-29.

⁶ James A. B. Scherer, Cotton as a World Power (New York, 1916), 201.

and Mobile were eager for the business of wealthy Mississippi planters and were always ready with money to secure it. The demand for cotton was greater than the supply and the prices paid for the precious product of the delta and hill lands of the state returned a handsome profit to the producer.7

John Hampden Randolph's cotton record books go back to 1834, and in them he records the amount of cotton picked per day by each of his field hands, and the total pickings for each week and each year. In October 1834 he had the following hands picking cotton on his plantation in Wilkinson County: B. Chester, Billy Richards, Henry, George, Ned, Betsy, Rose, Lucy, Amy, and Patsv.8

Thursday, October 30, was a very successful cotton picking day. On that day all hands together picked 1,285 pounds of cotton, and the total picked for the week of October 27-November 1 was 6,150 pounds. There was a let down in the amount gathered during the following week, November 3-8, when only 5,260 pounds were picked, despite the fact that another hand named Amy was added to the force. However, Randolph probably employed three of his hands, Billy, Henry and George, at some other work, as there is no record of their having picked any cotton during that week.9

After these brief entries there is a gap in Randolph's records; and no further records are extant until the following year. During the week of September 21-27, 1835, his hands picked 5.016 pounds of cotton; and for the week of September 28-October 3 there were 7,411 pounds of cotton gathered. Four slaves were added to the picking force that week. The high week of the month was that of October 26-31, during which the same fourteen hands picked 10,245 pounds of cotton. Ned alone picked 240 pounds on Tuesday, September 29. During the same week, Randolph had all hands picking every day, and he was not handicapped by rain.10 It has been estimated that the average amount of cotton a Negro could pick was a little over five bales in one season.11

By November 2, 1835, Randolph had increased the number of field hands to sixteen, but due to excessive rains during the

Mississippi Historical Society Publications. III (1900), 88.
 Cotton Book, October, 1834, Randolph Collection.

 ¹⁰ Ibid., September, 1835.
 ¹¹ Sydnor, Slavery in Mississippi, 184.

month, the total amount of cotton picked was less than in the preceding month. On December 5 he put all sixteen hands to digging potatoes. 12 The staple crop did not take up all the planter's land at this time, as he also raised nearly all his own food supply. 13

Billy Richards was Randolph's ginner, and in that capacity he used him continuously from December 16 to 23, 1835. Another Negro, William, was employed at "driving the gin." The job of "ginner," though a light one, required a certain skill, and usually a well trained Negro served in that capacity. As a rule a small boy was used to drive the team of horses, generally four in number, which supplied the power for the gin. This was called "driving the gin."15 On most plantations the ginhouse was usually a weatherboarded building about forty feet square. It was elevated about eight feet above the ground, with power provided by means of draft animals, as mentioned above. These animals were hitched to a horizontal beam which was attached to a hub. Between 1820 and 1860, improvements in the compressing apparatus promoted an increase in the average weight of cotton bales from 250 to 400 pounds. 16

For the year 1835 Randolph produced eighty bales of cotton, the weights of which ranged from 334 to 507 pounds each.¹⁷ The price of cotton at this time averaged 16.25 cents per pound, 18 giving him an income of approximately \$6,500.

Between cotton picking and planting time the planters in the cotton producing sections had many tasks to perform, such as "burning canebrakes, clearing underbrush and rolling logs in the new grounds, spilling rails and mending fences, clearing ditches, spreading manure, knocking down the old cotton and corn stalks, and breaking the soil of the fields to be planted." Corn was usually planted in March, followed by cotton planting in April.¹⁹ A cotton planter of the period wrote: "I begin to plant the first fine weather after the 20 of March, though usually not before early in April, some of my neighbors even earlier than the 20 some seasons. I prefer to be a few days later and

¹² Cotton Book, December 5, 1835, Randolph Collection.

¹³ Cotton Book, December 5, 1835, Randolph Collection.
13 Phillips, Life and Labor in the Old South, 129.
14 Cotton Book, December 16 to 23, 1835, Randolph Collection.
15 M. W. Philips, "Cultivation of Cotton," in American Agriculturist (New York),
II (1834), 173.
16 Phillips, American Negro Slavery, 206-07.
17 Cotton Book, 1835, Randolph Collection.
18 James J. Lea, Lea's Cotton Book, Containing a Statistical History of the American Cotton Crop. . . (New Orleans, 1914), 31.
19 Phillips, American Negro Slavery, 207-09.

have all business well up, than to haste planting, and probably get a bad stand from cold, and part of the plowing to be jumped over."20

In the early fall the harvesting of the cotton crop began. During the week of October 3-8, 1836, Randolph's sixteen hands picked 10.035 pounds, despite a light frost on October 5 and rain on the 8th. On the 4th they began picking the bushes for the second time, and during the following week the same sixteen hands picked 10,965 pounds. But on Thursday, October 13, Billy was put to ginning, with William driving the gin. On Friday, October 21, Randolph added to his force three more hands, whose names were Charles, Rosetta, and Daphne. Apparently they were children, as Charles, the best of the three, picked a total of only 125 pounds in two days, which was only about half the amount that some of the best hands picked in one day. During the week Billy was left to gin, Martha worked at cleaning the gin brush, William continued driving the gin, and Amy was sick for three days, which considerably reduced the number of picking hands. Besides, the weather was inclement, being rather damp and cold. However, on October 22 the first ten bales were completely ginned and pressed.21

From time to time during the cotton picking season Randolph had to stop the hands and put them to gathering corn, potatoes and other vegetables produced on the plantation. During the week of October 22-November 4, 1836, he put all hands to work gathering corn and potatoes.²² In Mississippi the soil "produced corn as readily as cotton. It was possible, the seasons being so long, to raise two or often three crops of vegetables in a year. Peas, potatoes, beans, and fruit could be grown quickly and abundantly."23

During the week of November 6-12, 1836, 10,505 pounds of cotton were picked, and a total of 10,275 pounds was picked in the following week. On November 19 the second picking was completed, the harvesting period having covered six weeks up to that date; and on the same day seven more bales of cotton were pressed.24 The picking operations went on through November and December, and the week of December 5-10 was the best one

<sup>Philips, "Cultivation of Cotton," 81.
Cotton Book, October, 1836, Randolph Collection.
Ibid., October 22 to November 4, 1836.
William E. Dodd, The Cotton Kingdom (New Haven, 1921), 3.
Cotton Book, November, 1836, Randolph Collection.</sup>

that Randolph had thus far experienced. In his cotton book for the year he wrote: "The biggest week's picking ever made by me. The reason why, the cotton was wet and weighed heavy." Cotton picking went on that season until after the first of January, but the number of pounds picked per hand was considerably reduced at the end of the season. On December 31, 1836, Betsy picked the most cotton for the day, which was only eighty-five pounds. The last cotton picking day that season, January 3, 1837, thoroughly stripped the bushes.

Randolph, like a number of other planters in the South, did not use all slave labor on his plantation. In 1834 he hired Ned Farm, a free man of color, and paid him eighty dollars per year for his services. Ned, his wife Betsy, and their three children, Selina, Betsy, and Fanny, worked for a number of years, and all were paid a stipulated amount of money. Ned Farm worked for Randolph until the former's death in 1850, at which time Randolph acknowledged a debt of \$610.85 to his heirs, which amount he kept in trust for Ned's widow and children. Another record shows that Randolph hired a man by the name of Archibald Lord at fifteen dollars per month in 1837. It is not known whether Lord was a white man or a Negro, but it is assumed that he was a Negro.27 Ned Farm and his wife, Betsy, were excellent cotton pickers. As a rule free Negroes did not perform agricultural labor on the plantations. They generally served "as barbers, coopers, carpenters, cabinet makers, mechanics, bricklayers, wheelwrights, plasterers, tanners, shoemakers, blacksmiths, sawyers, wood dealers, draymen, hucksters, millers, gardeners, confectioners, bakers, fishermen, day laborers, attendants of persons, household servants, seamstresses, and laundresses."28 There were many free Negroes in the South before the Civil War. In 1850 there were 17,462 in Louisiana, 930 in Mississippi, and 2,265 in Alabama.29 Randolph may have employed Ned Farm at other tasks on the plantation, but throughout the cotton books the records show that he worked side by side with the slaves during the cotton picking seasons.

²⁵ Randolph wrote curious things in his cotton books, some of which are worth quoting. "Woman's tongue is like unto a fast running horse, the faster it goes the less weight it carries." *Ibid.*, December, 1836.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Annie Lee West Stahl, "The Free Negro in Ante Bellum Louisiana," Louisiana State University, M. A. Thesis, 1934, p. 101.

²⁹ The Seventh Census of the United States: 1850, pp. 473, 447, 421.

The next routine record books are for the years 1841 and 1842, the ones for the years from 1837 to 1840 having, no doubt, been lost in the course of time. By the beginning of the harvesting season of 1841, Randolph had increased his force to twentythree hands. The hands commenced picking cotton on July 29, 1841, and by August 4 all cotton that had opened was picked, so they were put to "cutting through with the hoe." During the first week of the second harvest they picked 2,349 pounds, despite the fact that William and Amy were each on the sick list for two days. However, there was quite a difference in the number of pounds picked during the next week, when 7,179 pounds were gathered. At the end of the next two weeks a total of 49,170 pounds had been picked, and by that time Randolph had increased his force to twenty-six. On August 18 he had to appoint a new ginner because Billy took sick on August 11 and remained indisposed until the 26th. Another reason for the slow picking was the fact that Henry ran away on August 10 and was not caught until the 15th; he was sentenced to jail, where he remained until August 26, after which he was returned to the cotton fields.30

This was not the only case of a runaway slave, and like other planters of the South, Randolph was continually having such trouble, but his runaways were comparatively few in number. The case of Henry is the only one recorded in his books before he left Mississippi, but on October 4, 1847, after he had moved to Louisiana, he had to hire a man named Le Blanc to catch a runaway slave named Tom. Le Blanc's bill for this service was ten dollars. On August 1, 1851, Randolph paid Gus three dollars for catching Ben. The newspapers during this period advertised runaway slaves, for which they charged rather large fees. On November 15, 1853, Randolph paid the New Orleans Picayune seventeen dollars for advertising runaway Peter. One Negro named Augusta ran away twice in 1855. On February 16 Randolph paid five dollars for her capture, and on June 12 he paid six dollars for the same purpose. On November 14, 1858, a Negro man named Croppin was paid twenty-five dollars for his services in bringing back a runaway. This was the largest amount paid for catching a runaway slave, in the whole of Randolph's books, and these citations are all the expense items recorded by him for this purpose during the period from 1847 to 1861.31

30 Cotton Book, July, August, 1841, Randolph Collection.

⁴¹ Plantation Book, 1847-November 14, 1858, Randolph Collection.

On August 23, 1841, twelve bales of cotton were pressed, and by the 28th seven more had been added to that number.32 Four hands, one a youngster, usually did the pressing.33 Randolph's establishment had grown so that another Negro was required to drive the gin. The sick list for the first week in September was rather long, seven hands being sick for periods ranging from one and a half to three days each. On September 7 Billy Richards was well again and was put back to ginning, with Amos and Manson driving the gin.34

As an inducement to harder work among the Negroes, Randolph devised a scheme whereby they were induced to race against one another for prizes for the most cotton picked over a certain period of time. In September 1841 racing began, which lasted for two weeks. Randolph divided the sixteen hands into seven groups. The first group, composed of Betsy, Lucinda and Ned, raced for a scarf and a pair of pants; the next group, consisting of Amy, Rosetta and Henry, for a cape; and each of the five remaining groups for a pair of pants. In the first group, Betsy won over her competitors, having picked 2,849 pounds of cotton. Rosetta was the winner in the next group, having picked 2,355 pounds during the two weeks. Darien, who raced with Fanny, won because Fanny was caught stealing cotton and was forced to forfeit the race. Charlotte, with a total of 2,035 pounds, won over William, who had picked only 1,896 pounds. Amy, who picked 1,896 pounds, was the winner in the fifth group. This was a close race, as her competitor, Delphy, picked 1,864 pounds. In the next group, Jack, with 1,493 pounds, won over Peter, who picked only 1,427 pounds. And in the last group Culpepper picked 1,454 pounds to win over Reuben, who had gathered only 1,109 pounds.35 In Randolph's books was recorded another cotton picking race which took place on Forest Home plantation in Iberville Parish. It began on October 6, 1842, and lasted for three days. There were twenty-six Negroes competing in this race, divided into thirteen pairs.³⁶ Another such race, between the same pairs, was held during the period, October 17-25, 1842. These races were quite interesting, and the records show that as a rule the women were better pickers than the men. Evidently, Randolph

³² Cotton Book, August, 1841, Randolph Collection.
33 A certain cotton farmer of this period pressed, on an average, nine to ten bales a day weighing 425 pounds each. Philips, "Cultivation of Cotton."
34 Cotton Book, September, 1841, Randolph Collection.

³⁵ Ibid. 36 Ibid., October 6-9, 1842.

found that this method of arousing the competitive spirit was a good incentive to hard work among his Negroes.³⁷

By October 4, 1841, ninety-four bales of cotton had been ginned and pressed. The number of pounds ginned for the season had jumped to 183,237 by October 23, and by the end of the year Randolph had made a total of 129 bales, the weights of which ranged from 358 to 455 pounds, with an average weight per bale of well over 400 pounds.³⁸ Cotton prices at this time were rather low, ranging from five to ten and a half cents.³⁹ So, despite the fact that Randolph produced much more cotton in 1841 than he had in 1835, his income for the latter year was only about \$4,000, which was considerably less than he had received for his 1835 crop. This was, no doubt, one of his reasons for moving to Louisiana at the end of the year.

For the first two years after moving to his new plantation, Forest Home, in Iberville Parish, Randolph continued his operations as a cotton planter. At this time, despite the sugar boom, Louisiana produced a rather large proportion of the South's cotton. In 1845 it was estimated that 350,000 bales of cotton were produced in the state, but cotton production later became confined to the more northerly parishes of the state.⁴⁰

Therefore, for the first two years after coming to Louisiana, Randolph planted most of his tillable land in cotton and corn, as he was not yet ready to venture into the cultivation of sugar cane. So, for these two years his record books show that practically the same labor routine was carried on in Louisiana as had been carried on in Wilkinson County, Mississippi.

On August 29, 1842, cotton picking began at Forest Home. At this time Randolph had twenty-seven laborers, but only sixteen were put to picking cotton. The slaves which belonged to Dr. Henry A. Doyle, from whom Randolph had bought Forest Home, were not included in the purchase; so he brought his slaves from Mississippi and added a few to swell the number. For the year 221,326 pounds of cotton were picked, which made 188 bales with the average weight per bale being well over 400 pounds. This

³⁷ Ibid., October 17-25, 1842.

³⁸ Ibid., October-December, 1841.

³⁹ Lea, Lea's Cotton Book, 31.

⁴⁰ Pierce Butler, "Louisiana in the Federal Government, 1812-1861," in The South in the Building of the Nation, 13 vols. (Richmond, 1909-1913), III, 119-20.

gave Randolph a gross income of over \$5,000 for the year, which was a considerable increase over the preceding year.41

Randolph was solicitous for his Negroes' welfare. Blankets and shoes were distributed at the beginning of the winter, some receiving two blankets and two pairs of shoes each. At this time there were seventeen slaves on the plantation, belonging to Judge Moses Liddell, and they received the same rations as Randolph's own slaves.42 The planters of the South usually saw to it that their slaves enjoyed a certain amount of physical comfort, and most Negroes during slavery days had better homes, clothes, and food than they had for a long period of years after they were freed. The planters were aware of the fact that comfort and good care promoted a high birth-rate. This was important, too, as a planter's wealth often was counted in terms of the number of slaves that he owned.43

One of the ante-bellum planter's most annoying problems was getting a good, reliable overseer to look after the work on the plantation. Judging from the number of overseers which Randolph paid off from time to time, it can be assumed that he either had considerable trouble getting satisfactory ones, or that he was a very difficult person to please. With a knowledge of Randolph's character gained from a study of the manner in which he carried out his other business affairs, the former conclusion may be assumed without any hesitancy. On December 3, 1842, he hired William Leatherman as overseer at \$300 per year, but on the 18th of the same month discharged him and paid him fifteen dollars for his services.44 On May 16, 1848, he paid Myhand sixteen dollars which he owed him for overseeing, and on August 20 of the same year he paid J. H. Morrow \$158 for overseeing during three months and four days.45 For the year 1849 he paid J. E. Orcut \$700 for the same work, and for the year 1851 the salary of the overseer was raised to \$800. For 1853 the salary remained the same, but for the year 1856 he paid a man named Miro only \$400 for overseeing, which may have been due to the fact that he quit work or was discharged before the end of the year. The highest salary which Randolph ever paid for overseeing was \$1,200, which he paid to L. Downing for his services

⁴¹ Cotton Book, 1842, Randolph Collection. 42 Ibid., November, 1842.

 ⁴³ Phillips, American Negro Slavery, 298.
 44 Cotton Book, December, 1842, Randolph Collection.
 45 Plantation Book, May 16 August 20, 1848, Randolph Collection.

for the year 1861.⁴⁶ The pay of the overseer was not as high as that of the sugar-maker, but the overseer's job lasted throughout the year, whereas the sugar-maker worked only during the grinding season. Then, in addition to the yearly wage, the overseer was provided with a house in which to live and also with provisions for himself and his family.⁴⁷ At Forest Home plantation the overseer's house was situated close to the "big house", and the Negro quarters were in the rear of it, not more than fifty to a hundred yards away.⁴⁸ Only a few of the Negro cabins are standing today, many having been blown down by the wind.

As to methods of improving the average production of cotton, Randolph had some ideas of his own. In a letter to St. John R. Liddell, his brother-in-law, he set down his plan in writing, thus:

I think that I can improve the plan of the Lake Providence planter by suggesting that instead of leaving weeds in his cotton, as he says, to plant corn in it, which would answer the same purpose and you would have the corn in the bargain. I think the advantage would be in favor of the corn, which by pulling the fodder would give the cotton sun which it is obliged to have, and if you left the weeds they would shade the cotton until frost caused it to open late and a great deal to rot.⁴⁹

The year 1844 was the last one in which Randolph planted cotton on a large scale. From that time on the principal part of his land was devoted to sugar cane. In 1844 he had only twenty-five acres in cane and one hundred and eighty acres in corn, but in 1845 cane took the place of cotton as a staple.⁵⁰

CHAPTER IV

A SUGAR PLANTER, 1844-1883

Due to annual inundations by the Mississippi River and its tributaries, the level land comprising Iberville Parish became extremely fertile. This and the adjoining parishes were the district in the United States best adapted to the cultivation of sugar cane. Here the sugar industry attained its greatest per-

 ⁴⁶ Ibid., January 1, 1850-January 18, 1862.
 47 In 1843 Randolph's expenses showed \$1.25 spent for an overseer's whip. Ibid., January 1, 1843.

 ⁴⁸ Interview with Susan Green, July 7, 1936.
 40 Randolph to St. John Liddell, August 11, 1844, in possession of Mrs. L. B. Liddell.

¹D. B. Warden, A Statistical, Political and Historical Account of the United States of North America . . . , 3 vols. (Edinburgh, 1819), II, 491-548, passim.

fection, and it has been called "the sweetest section of country in the United States."2 Extensive plantations developed on both sides of the great river and of the numerous bayous and streams which are a part of the mighty river system, and perhaps the plantation system was more thorough in the alluvial lands of Louisiana than anywhere else.3

As cotton culture progressed in the various regions of the South, so did the culture of sugar cane in the southeastern part of Louisiana. The soil of this region differed from that of the cotton producing sections. The lands that were some distance removed from the rivers and streams were constantly being overflowed, and constantly they were too boggy and swampy for cultivation except along the rivers and bayous.4 These lands were higher than the surrounding areas and they sloped toward the swamps in the rear. 5 So the planters cultivated the lands close to the streams and built their own levees for protection against the ravages of the floods. "The homesteads fronted the streams and the fields stretched a few hundred or at most a few thousand yards to the rear."6 A writer of the period states:

The banks of the Mississippi River are the highest part of the alluvial land. The banks of the bayous and lakes are also high, if not higher. The soil of the land adjoining the Mississippi is alluvial on both sides of the river below 33°, but more so along the western side. The soil of this area is the most fertile in the world, and the climate delightful during nine months of the year, and bad the remainder.7

Indigo was tried as a staple in the eighteenth century, but the planters met with a little success in its cultivation.8 Its growth was hampered by certain insects, the planters could not get a good price for their crop, and the health of the slaves was injured during its manufacture.9 At one time cotton was one of the leading products of southeastern Louisiana, but the greater profit afforded by cane production "enabled the latter to usurp many of the plantations hitherto exclusively devoted to the former."10 As early as 1725 and 1762 attempts had been made

² Charles Lanman, Adventures in the Wilds of the United States and British American Provinces, 2 vols. (Philadelphia, 1856), II, 208-09.

³ Butler, "Louisiana in the Federal Government," 123.

⁴ Phillips, American Negro Slavery, 163.

⁵ Moody, "Slavery on Louisiana Sugar Plantations," 192.

⁶ Phillips, American Negro Slavery, 163.

⁷ Henry M. Brackenridge, Views of Louisiana . . . (Pittsburgh, 1814), 160-61.

⁸ Phillips, American Negro Slavery, 164.

⁹ Moody, "Slavery on Louisiana Sugar Plantations," 197.

¹⁰ "Agriculture of Louisiana," in De Bow's Review, III (1847), 415.

at sugar culture, but the early frosts which came before the cane was fully ripe greatly discouraged this enterprise.¹¹

Etienne de Boré, a prominent Creole who owned a plantation just above New Orleans, was successful in his attempt to make sugar in 1795.12 Following his success the sugar industry in Louisiana experienced a rapid growth. Within nine years the number of sugar estates had increased to ninety-one.13 The passing of Louisiana from Spanish to American control had a stimulating effect upon the sugar producing district. "Large and thoroughly organized plantations became the characteristic feature," and due to certain climatic conditions the sugar district was confined to the southern or delta region of Louisiana.14 Many of the newcomers to the state settled near Baton Rouge and on the Red River with the intention of producing cotton on a large scale, but in 1828, upon the passage of the Tariff Act of that year, which raised sugar prices at a time when cotton prices were low, the majority of these people shifted to sugar. The introduction of the ribbon cane, which matured earlier, in place of the previously used Malabar and Otaheite varieties, further enhanced the development of the sugar industry.15

By 1827 there were 308 sugar estates, employing approximately 21,000 slaves and having a value of \$34,000,000; and by 1830 there were 691 sugar plantations, with 36,000 slaves and a value of \$50,000,000. Louisiana was at this time producing about one-half the sugar supply of the country.¹⁶

The tariff was again raised in 1842, causing the number of sugar plantations to increase to 762 in 1845, and their maximum number of 1,536 was reached in 1849. The cotton market recovered from the slump in prices during the early 1840's, and as a result there was a check in the development of the sugar industry; and by 1859 there was a decrease of 138 in the number of sugar plantations in operation. Between 1830 and 1850 the number of slaves on Louisiana plantations had nearly doubled. The output of sugar increased to 200,000 hogsheads in 1844. In the best ante-bellum year there were 1,407 fully equipped sugar planta-

¹¹ Phillips, American Negro Slavery, 164.

¹² Allen Johnson and Dumas Malone, eds., Dictionary of American Biography, 20 vols. and index (New York, 1928-1937), II, 461.

Phillips, American Negro Slavery, 164.
 Phillips, Plantation and Frontier, I, 86.

¹⁵ Phillips, American Negro Slavery, 166.

¹⁶ Ibid., 166-67.

tions in operation, 103 of which made less than 100 hogsheads each, while forty produced over 1,000 hogsheads each.¹⁷ In 1861 Iberville Parish was the second highest sugar producing parish in the state. In that year St. Mary Parish led with 48,779 hogsheads, Iberville followed with 41,921, Assumption was third with 37,481, and St. James was fourth with 34,227.18

As early as April 1843 Randolph began making preparations for the erection of a sugarhouse, which would be needed when he shifted from cotton to cane. On April 12, 1843, he commenced making bricks to be used in its construction. In a letter to St. John R. Liddell on August 11, 1844, he wrote concerning the brickmaking: "I have been trying to make bricks for the last two weeks but it has rained so much that I have got along but slowly. I did want to make 200,000 this summer which would be enough with what I have, and would have nothing to do next year but to put up the building. I have all my lumber and a great part of the wood work done."19

At first he planned to buy second-hand machinery for the sugarhouse. In a letter to a friend he wrote: "I have a good chance of getting a second-hand sugar mill and engines capable of taking off 300 hogsheads of sugar which will be large enough for my purpose."20 However, he changed his mind and made an agreement with Niles & Company of Cincinnati, Ohio, on November 30, 1844, for the purchase of the machinery. They agreed to build and deliver at Bayou Goula a steam engine and sugar mill complete, having two boilers made of heavy 3/16 inch iron, 32 inches in diameter and 25 feet long, with an eleven inch cylinder and four feet stroke, and rollers of 26 inches in diameter and four feet long, with cast iron shafts. This machinery was to be delivered on or before June 1, 1845, and was to be put up and ready for operation before the first of October. Randolph agreed to pay the sum of \$2,500 when the engine was delivered at Bayou Goula and \$2,000 more on March 1, 1846.21

The sugarhouse was a very important feature of the sugar plantation. A contemporary wrote:

On every plantation the sugar house is one of the most prominent objects. It would be impossible to give a correct

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Daniel Dennett, Louisiana As It Is... (New Orleans, 1876), 224-26.
 Randolph to St. John Liddell, August 11, 1844, in possession of Mrs. L. B. Liddell.
 Randolph to James A. Stewart, August 19, 1844, in possession of Mrs. William 21 Record of Conveyance Book "W," No. 153.

idea of the immense amount of money lavished upon these adjuncts of the sugar estate, not only for things acknowledged to be useful and positively necessary, but more particularly for apparatus to be used in the manufacture of the crop. Hundreds of thousands of dollars annually find their way to the coffers of the Northern artisans, in return for his skillful labor in endeavors to improve upon the machinery used in the crystallization of sugar.²²

Due to the heavy expense of getting established in the sugar business. Randolph found that he would have difficulty in financing the enterprise during the first few years. He did not have a sufficient number of Negroes, mules, wagons, and other necessary equipment, nor enough money to feed all his hands and to pay the overseer, engineer, and sugar-maker. He first tried to sell half of his land to James A. Stewart of Woodville, Mississippi. In a letter to St. John R. Liddell he wrote: "I made a proposition to James A. Stewart to take one half of my land at \$20,000 which he has not yet decided upon, but expect him down in the fall to look at it, and think it probable that he will purchase as he is anxious to go into the sugar business. My object in selling is to get the cash which I stand much in want of as it takes no small sum to erect a sugar establishment. If I do not sell to him I must try someone else."23 In a letter to Stewart concerning the prospective agreement, Randolph wrote:

I think upon reflection that in case you join me, it would be better that you would put upon the place the first 12 or 14 hands because if you made the force equal to mine it would be impossible to plant enough cane to make a good crop, as planting cane is a very slow business, and thus there would not be open land enough for all and we would scarcely have time to open more the first year. By adding 12 or 14 hands there would be plenty of land already open to plant a crop of cane and corn, and it would take only seven or eight acres of cane more than I have which I can get for \$30.00 by applying in time, which is considered very low, and another reason which I will be candid enough to acknowledge is that in case you put in the first year only 12 or 14, you can spare them from your place, and will not have to bring any, and thereby be able to make us a larger profit on the place, which I will stand much in want of if my friend Parks should be overflowed.

 ²² T. B. Thorpe, "Sugar and the Sugar Region of Louisiana," in Harper's New Monthly Magazine, VII (1853), 758.
 23 Randolph to St. John Liddell, August 11, 1844, in possession of Mrs. L. B. Liddell.

The longer I live here the better I like the place and would by far rather own land back than immediately on the river. I think it more healthy and much more productive, the soil twice as easy to cultivate, and have not half the trouble managing your negroes which you would have on the river, the only objection is the hauling to the river which is a small consideration when taking into consideration all the advantages.24

Stewart did not go into partnership with Randolph, but for a period of four years, beginning in 1845 and extending through 1848, Randolph was in partnership with Charles A. Thornton of Wilkinson County, Mississippi, who had recently moved to Louisiana. At the beginning of each year the two parties drew up a contract to run for twelve months, at the expiration of which a similar one was signed for the following year. By the first contract, made on December 13, 1844, Thornton was allowed one-fourth of the crop proceeds on all sugar, molasses and corn. His part of the bargain was to furnish ten Negroes, six mules, three yoke of oxen, one oxcart, and an oxwagon. He was to furnish his own Negroes with meat sufficient for their maintenance, with clothing, with physician's care, and with the necessary working tools and utensils. Thornton further agreed to pay one-fourth of the wages of an overseer, an engineer and a sugar-maker, and also one-fourth of the necessary expenses of cultivating the crop for the specified time, besides paying to Randolph \$500 for and in consideration of the privileges stated above.25 At the end of the first year Randolph paid Thornton \$4,847.31 as his share of the crop, the total proceeds amounting to \$19,389.23.26 Agreements similar to this one were made in the following years, except that in succeeding contracts Thornton was given one-third of the proceeds of the crop.27 On June 2, 1848, Randolph transferred \$2,203 to Thornton for his share of the crop of the last year; and judging from this figure, Randolph's profit for the period was in the neighborhood of \$7,000.28

In 1846 Thornton bought a place on the Mississippi River near Bayou Goula, containing 120 arpents, for which he paid \$1,400. He purchased this place to be used chiefly as a residence, and at the time Randolph was afraid that Thornton would find

²⁴ Randolph to James A. Stewart, August 19, 1844, in possession of Mrs. William

Whipple.

25 Agreements between Charles A. Thornton and Randolph, 1844-47, Randolph Collection. 2d Randolph in Account for Charles A. Thornton, 1845-46, Randolph Collection.

27 Agreements between Thornton and Randolph, 1844-47, Randolph Collection.

²⁸ Plantation Book, June 2, 1848, Randolph Collection.

it necessary to move some of his Negroes who were working at Forest Home, to work the land on his newly acquired place on the river. Randolph did not wish to see this happen, as he was not yet ready to buy more slaves.29

It did not take Randolph long to learn the sugar business, and by 1846 he was contemplating the production of 500 hogsheads at Forest Home. On June 30, he wrote: "My cane crop is very, very fine and supposed by neighbors to be good for 500 hogsheads. My corn crop is also good considering the unfavorable season for corn."30 He was offered six cents per pound for his sugar in advance by his neighbor. Christopher Adams, formerly of the firm of Adams and Whitehall of New Orleans. It was Randolph's opinion that Adams had received some information that prices of sugar were due to rise that year or the next.

During the summer months, before cane cutting time, Randolph was busily occupied in building a large cane shed and "putting up a set of kettles," to be used in sugar making. By July he had just finished laying by his crop, and soon afterwards he commenced cutting wood, ditching the land, and putting the plantation roads in good condition for hauling cane to the mill. The wood that was cut was used as fuel for the boilers. In a letter to Judge Liddell he wrote: "I would like to have cut 1500 loads of wood if I have time which will leave me a large surplus on hand for the next crop."31 A writer of this period stated: "The amount of fuel consumed in the production of sugar is enormous. Three cords are an average necessary for the manufacture of a hogshead of sugar, of the usual weight of 1000 pounds."32 Two sources of wood supply were available to the Louisiana sugar planters along the river: drift wood which floated down from the North and the forests in the rear of the plantations.³³ But as Randolph's plantation was five miles from the river, and as he had plenty of timber on his land, he used the latter as his only source.

On October 12 Randolph commenced "rolling" and began grinding on the following day. Some of his neighbors were of the opinion that he would make 600 hogsheads, but he had his

 ³⁰ Randolph to Moses Liddell, September 27, 1846, in possession of Mrs. L. B. Liddell.
 ³⁰ Randolph to Moses Liddell, June 30, 1846, in possession of Mrs. L. B. Liddell.
 ³¹ Randolph to Moses Liddell, July 11, 1846, in possession of Mrs. L. B. Liddell.
 ³² Thorpe, "Sugar and the Sugar Region of Louisiana," 758.
 ³³ Walter Prichard, "Routine on a Louisiana Sugar Plantation under the Slavery Régime," in Mississippi Valley Historical Review, XIV (1927-28), 172.

doubts about it. His cane crop was very good, however, as was also his corn crop.34 The yield of sugar was so poor at first that Randolph stopped his sugar mill for a few days and put all hands to work gathering corn and digging potatoes. On October 20 he resumed cutting cane and sold eighteen barrels of molasses at twenty-eight cents per gallon. He also sold his sugar as fast as it was ready for market and received five cents per pound for it, a price which he considered better, all things considered, than keeping the sugar until the spring of 1847, when he figured he could sell it for six cents per pound.35 "Holding a crop in storage in New Orleans (or any other market) for a better market was an uncertain and expensive process; and in order to justify such a proceeding, the planter must feel sure of securing a much better price, at a later date, to compensate for the extra charges incurred for drayage, storage, and loss of weight of the sugar due to age."36 In the days before sugar was shipped by train it was sent to market by steamboats. Among the boats with which Randolph did business were the steamers "Princess", "Bella Donna", and "Capitol".37

During the grinding season of 1846, Randolph had some trouble with the machinery of his sugarhouse. On Friday, November 20, one of the roller shafts broke, and he had to send the roller to New Orleans to have a new shaft made for it. Because of this mishap grinding was held up for eight days before the repairs arrived. More trouble came in the form of a freeze on November 25, which killed much of the cane still remaining unground. He saved most of it, however, as only a small proportion was then uncut, and he could cover and protect the cane that was cut and lying on the ground.³⁸ Usually when the freeze came early, all cane still standing was cut and laid down, "several rows at a time in the furrow between the ridges, and leaving it covered by the cane tops and trash to protect it from injury by the freeze." This was called "windrowing" the cane. While the windrowing was taking place, the mill was shut down and all hands were put to this job.39

³⁴ Randolph to Moses Liddell, September 27, 1846, in possession of Mrs. L. B. Liddell.

³⁵ Randolph to Moses Liddell, December 2, 1846, in possession of Mrs. L. B. Liddell.

³⁶ Prichard, "Routine on a Louisiana Sugar Plantation," 175.

³⁷ Plantation Book, May 15, 1850, May 16, 1853, November 5, 1853, July 9, 1856, Randolph Collection.

³⁸ Randolph to Moses Liddell, December 2, 1846, in possession of Mrs. L. B. Liddell.

³⁹ Prichard, "Routine on a Louisiana Sugar Plantation," 177.

By December 2 Randolph had made 300 hogsheads of sugar and had hopes of reaching 450. He had sold 204 hogsheads of sugar and 290 barrels of molasses which netted him about \$16,000.40 A writer of the period estimated that a planter who had 400 acres in sugar cane, which yielded 400,000 pounds of sugar worth five and a half cents and 10,000 gallons of molasses worth eighteen cents per gallon, after deducting all expenses, usually made a profit of about \$15,500.41 After deducting the cost of the initial outlay of the plantation, and after subtracting Thornton's one third, Randolph's profits for the year 1846 were almost \$5,000.42 In a letter to Randolph, dated November 10, 1846, St. John R. Liddell wrote: "I am gratified at your making such a large sugar crop, with good prices to back you. I think you are fortunate, very fortunate." (Liddell had not done so well with his cotton crop for that season.) 43

As Randolph prospered on his Forest Home plantation and later on his other plantations, he gradually increased his number of slaves. When he came to Louisiana in 1842 he had only twentythree slaves of his own, besides the free Negroes, Ned Farm and his wife and three children, and seventeen more Negroes who belonged to Moses Liddell. When he switched from cotton to cane as his staple crop, Randolph found that he did not have enough hands to operate the plantation, so he formed a partnership with Charles A. Thornton to get more slaves on the plantation. As we have seen, Thornton furnished ten slaves. 44 On January 3, 1853, Randolph bought a nineteen-year-old Negro named Coon from J. T. Leach of Jefferson Parish for \$1,200.45 On February 28, 1856, he bought twenty-two Negroes from Moses Liddell, in payment for which he gave two promissory notes of \$6,425 each, bearing six per cent interest, one falling due on April 1, 1858, and the other a year later.46 By April 1857 Randolph owned eighty-seven male and eighty-eight female slaves. By age and sex they were distributed as follows: ten males and eleven females under five years of age; eight males and nine females from five to ten years of age; six males and seven females from ten to fifteen years of age; forty-nine males and forty-nine females from

⁴⁰ Randolph to Moses Liddell, December 2, 1846, in possession of Mrs. L. B. Liddell.
⁴¹ Robert Baird, View of the Valley of the Mississippi . . . (Philadelphia, 1834),

 ⁴² Agreements between Thornton and Randolph, 1844-47, Randolph Collection.
 43 St. John Liddell to Randolph, November 10, 1846, Randolph Collection.
 44 Agreements between Thornton and Randolph, 1844-47, Randolph Collection.
 45 Record of Conveyance Book "3," No. 35.
 46 Plantation Book, February 28, 1856, Randolph Collection.

fifteen to forty-five years of age; and fourteen males and twelve females above forty-five years of age. 47 In July of the same year he bought another male Negro, which made eighty-eight of each sex.48 On January 7, 1859, Randolph bought six Negro men from W. Campbell for \$9,900.49 An inventory of February 8, 1862, showed a total of 195 slaves belonging to Randolph, which were subject to the Confederate war tax.⁵⁰

Randolph treated his slaves well. They called him "Marse Jack"; but in order to keep the Negroes well in hand certain rules were enforced, one of which was that they were not permitted to visit another plantation without a "pass". 51 The Negroes were not without spending money, as a certain sum was distributed among them as Christmas presents, and frequently they were paid for some extra work. On July 7, 1850, Randolph paid the "negroes \$45.00 for extra work in running the water wheel"; and on December 25, 1854, he "paid cash to negroes for corn and for extra expenses \$500." The Negroes were given medical attention, and a physician was paid a yearly sum for this service. A Dr. Hall was Randolph's physician for a long time and his fees ranged from \$100 to \$235 per year.52

Randolph did not depend solely upon slave labor in operating his plantation. Besides the overseer, who was employed continuously, an engineer, a cooper, a sugar-maker, and numerous ditchers had to be hired during the grinding season and at other times during the year. On December 15, 1847, he discharged his engineer, T. J. Rossa, and paid him \$207 for his services to date, and on the 19th he hired a man named Clement to fill the vacancy. Clement was to have been paid \$100 per month, but he left after eight days and received \$30.72 for the period. On December 27, 1847, Randolph paid Truxclar \$325.20 for his services as sugarmaker; and on October 15, 1848, he paid William Robberts \$330 for services as a cooper during seven months and two days. On November 18, 1848, Hiram Beatty received \$118.31 for his services as engineer, and on the 28th of that month I. Smith was paid \$362 for sugar-making.⁵³ A. Davidson was paid \$880.37 for

 ⁴⁷ Taxable Property in 1857, MS in Randolph Collection.
 ⁴⁸ List of Taxable Property to E. A. Arceneaux, Assessor, July, 1857, Randolph Collection.

 ⁴⁹ Plantation Book, January 7, 1859, Randolph Collection.
 50 List of Property Owned by Randolph Subject to Confederate War Tax, February 8, 1862, Randolph Collection.

⁵¹ Interview with Susan Green, July 7, 1936.
52 Plantation Book, 1850-1857, Randolph Collection.
53 Plantation Book, December, 1847; October-November, 1848, Randolph Collection.

slating the sugarhouse, on June 6, 1853, and \$387 for brickwork on July 27 following. On February 6, 1859, William Brown was paid \$182 for repairing the sawmill.54

One of the Louisiana sugar planter's most persistent problems was keeping his lowlands suitable for agriculture by preventing overflows and promoting proper drainage. They had to be kept well ditched, which required much time and labor. The ditches ran from the river or bayou back into the swamps. They were dug at right angles to the watercourse upon which the plantation was situated and extended one or two miles, in straight lines, increasing in width and depth as they receded, until they reached the waters into which they emptied.⁵⁵ Randolph was continually having to pay someone to dig ditches on his plantation. Many times new ditches had to be dug and old ones cleaned out or deepened. Frequent entries are found in his expense books of this period of payments made to ditch-diggers, and one item of \$718.35 to Patrick Gallagher illustrates the large outlay for this purpose.56

On October 13, 1847, the work of harvesting the crop of that year started when the engineer began work. Cane cutting was begun on the following day, and grinding started on the 16th. The cane crop of 1847 was a good one, and the grinding routine went along smoothly until December 13, when the roller shaft broke, as it had done in the preceding year, and it cost \$154.50 to have it replaced.57

The crop of 1848 was also very good and by February 1, 1849, Randolph had received \$7,953.39 from the sale of sugar and molasses. The remainder of the crop was apparently sold in April, 1849, for thirty hogsheads of sugar were sold on the 1st for \$1,009.30, sixty hogsheads on the 10th for \$1,993.43, and sixty more hogsheads on the 18th for \$3,164.34.58

For a number of years Randolph did business with the commission house of Burbridge and Adams of New Orleans, the name of which was later changed to J. W. Burbridge and Company. All of his financial transactions were carried on through this firm, and at the end of each crop year they submitted to Randolph a

⁵⁴ Plantation Book, July 27, 1853; June 6, 1856; February 6, 1859, Randolph Col-

lection.

55 "Culture of Sugar Cane in Louisiana," (Article VIII), in Southern Agriculturist (Charleston), VII (1834), 89.

56 Plantation Book, March 10, 1847, Randolph Collection.

57 Ibid., October-December, 1847.

58 Ibid., February-April, 1849.

balance sheet showing all drafts drawn by him against his account, all deposits made with them, all money borrowed from the firm, and a final balance of cash in their hands. For this work of keeping account of his business and financial transactions Randolph paid the Burbridge firm a regular fee. On May 11, 1850, Randolph's account with the firm showed a cash balance in his favor of \$1,858.21.59

By mid-century Randolph was doing very well on his plantation, and was able to pay off obligations of \$18,113.97. These debts which he discharged in 1849 and 1850 are as follows:

| January 24, 1850—Nine months draft to Union Bank of | \$1440.0 0 |
|--|-------------------|
| | |
| I laquellille | 2500.00 |
| February 10, 1850—To Piper for eight mules | 930.00 |
| February 10, 1850-J. D. and N. Stewart for two | |
| negroes1 | 1530.00 |
| March 18, 1850-J. A. Stewart, installment on negroes | 6982.00 |
| March 19, 1850—E. H. Skoggs for negro man | 1272.00 |
| April 13, 1850—W. L. Roberts (Bank agent) 4 | 4469.87 |

\$ 18113.97

His income for the crop year of 1850-51 showed the following entries:

| May | 11, | 1850- | -Cash in hands of Burbridge & Adams | \$1858.21 |
|------|------|-------|--|-----------|
| " | " | " | Net proceeds of sales of sugar and mo- | |
| | | | lasses to December 28, 1850 | 7993.55 |
| " | " | " | Draft on Moses Liddell due Dec. 1850 | 1200.00 |
| " | " | " | Draft on Joseph Lannon " " " | 1003.75 |
| " | " | " | Acceptance due January 1851 | 1006.00 |
| Apri | 1 2, | 1851- | -Cash on W. A. Read's check | 1867.51 |
| " | " | ** | Cash paid by C. A. Thornton | 97.00 |
| " | " | " | Balance of proceeds of crop by May 9, | |
| 1800 | | | 1851 | 11542.86 |
| " | " | " | Interest in my favor to May 9, 1851 | 245.15 |

\$26724.4260

On March 18, 1853, Randolph's balance in the hands of Burbridge and Company was \$14,264.34.61

Randolph in Account with Burbridge and Adams, 1850-1870, Randolph Collection.
 Plantation Book, January-May, 1850; April, 1851, Randolph Collection.
 Randolph in Account with Burbridge, 1853, Randolph Collection.

It was during the 1850's that Randolph experienced his most prosperous years, as far as the production of sugar was concerned. During the crop year of 1851-52 he produced 438 hogsheads of sugar, the total production of Iberville Parish being 15,835 hogsheads. 62 Randolph's crop for 1852-53 was 540 hogsheads, the net proceeds of which, including molasses, amounted to \$36,225.26.63 His next two crops yielded 580 and 500 hogsheads, respectively. In 1857-58 he made 504 hogsheads at Forest Home and 89 on Nottoway. The next year Randolph purchased a half interest in the Blythewood plantation of Franklin Hudson, which was operated as a partnership affair until 1871, when he also bought Hudson's half interest. During the first year of the partnership, Blythewood produced 270 hogsheads of sugar; and the same season 149 hogsheads were made on Nottoway and 745 hogsheads on Forest Home.64

Besides the sugar and molasses sold from his plantations, Randolph also produced a surplus of corn which he sold to his neighbors. In 1854 he sold \$1,321 worth of corn.65 For his sugar and molasses made in the same year-509 hogsheads of sugar, 967 barrels of molasses, and 108 barrels of "cistern" sugarhe received \$32,334.80.66 Due to his excellent crop for the year, he was able to pay off bills and debts amounting to \$20,727.96. He paid F. D. Landry \$9,000 on February 23, 1856, Nathaniel Rop \$1,240 on February 15, Joseph L. Jamison \$4,487.96 on April 1, and Rene Bourgeois \$6,000 on the same day. The parish taxes were \$83.37 and the state taxes \$408.16 for the year 1855.67

The season of 1856 was a poor one for sugar cane and Randolph did not have a good crop, producing only 197 hogsheads of sugar. 68 That he anticipated this poor crop in the spring of 1856 is shown by a letter to St. John R. Liddell, dated April 16, 1856, in which he said: "My prospects for a sugar crop this year are very gloomy. The rattons are all dead, or nearly all, and the plant is also much injured by the wet and cold weather. I fear I will not make 200 hogsheads. The weather is so dry now that corn planted will not come up."69 He made good cane crops, how-

 ⁸² P. A. Champomier, Statement of the Sugar Crop Made in Louisiana, 1851-52 (New Orleans, 1852), 11-12.
 63 Plantation Book, 1852, Randolph Collection.
 64 Champomier, Statement of the Sugar Crop, 1858-59, p. 10.
 65 Plantation Book, May-June, 1854, Randolph Collection.

⁶⁸ Ibid., 1855. 67 Ibid., February, 1856. 68 Champomier, Statement of the Sugar Crop, 1856-57, p. 10. 68 Randolph to St. John Liddell, April 5, 1856, in possession of Mrs. L. B. Liddell.

ever, from 1857 to the outbreak of the Civil War; and for the crop year just preceding the war he made 500 hogsheads on Forest Home, 160 on Nottoway, and, with Hudson, 150 on Blythewood.⁷⁰ On May 1, 1861, Randolph's balance on hands with Burbridge and Adams was \$8,000.⁷¹

During the war period Randolph continued to carry on his business as well as could be expected. Financial transactions were made in Confederate money. He paid L. Downing \$1,200 for overseeing in 1861. On February 5, 1863, he received \$1,686.85 from T. D. Harris for the crop of that season, and on March 7, 1863, a balance of \$2,355.05 was due him on Burbridge's books. On April 12, 1863, Brown owed him \$675 for 450 bushels of corn at \$1.50 per bushel, and on the preceding day he had sold 220 bushels more for \$288. In July 1863 he received \$894 from Thompson for 894 bushels of corn. Then, on August 8, 1863, he sold forty-six head of cattle to Natzhoff for \$1,583.

There is no record that Randolph had any trouble with his Negroes during the war period. Thomas Nelson Page said that "no race ever behaved better than the negroes behaved during the war. Not only were there no massacres and no outbreaks, but even the amount of defection was not large."⁷³

Randolph, like many other Southern planters, was subject to raids on his property by Federal troops. On August 8, 1863, Federal troops took ninety-four sheep, six cows, four oxen, and one bull from Nottoway, but on the next day they returned five of the cows and twenty-four of the sheep. On the same day, however, two valuable stallions were taken from Forest Home.⁷⁴

On March 3, 1864, Randolph and his partner, Hudson, made an agreement with J. K. and Robert Metcalfe of Washington County, Texas. The Metcalfes gave Randolph and Hudson the right to reside upon their lands in Washington County, with their Negroes, and "to make use of any or all timber thereon and cultivate the land as long as the war may continue, free of rent." Furthermore, the agreement read that "all buildings and improvements shall become the property of the parties of the first part (Metcalfes) upon the vacation of the premises of the parties

71 Plantation Book, May 1, 1861, Randolph Collection.

⁷⁰ Champomier, Statement of the Sugar Crop, 1860-61, p. 10.

⁷² Ibid., February-August, 1863.
73 Thomas Nelson Page, "The Negro: the Southerner's Problem," in McClure's Magazine (New York), XXII (1904), 552.
74 Plantation Book, August 8, 1863, Randolph Collection.

of the second part (Randolph and Hudson) and shall be considered ample pay for the use of the property." Still further, "The Prairie Place owned by Judge Baylor, is rented for the term of one year to date from the first of February, 1864, to be paid for by giving one third of the corn crop raised thereon, . . . the parties of the first part paying out of their share the tithe on tax required by the government." ⁷⁵

The records for this period are not full enough to explain adequately why Randolph went into this Texas venture or what he made out of it. Nevertheless, he and Hudson went into this enterprise, and Mrs. Randolph was left to attend to the business at home. Randolph and Hudson left for Texas about 1863, taking with them all their slaves, valuable china, silver, books by Audubon and others, furniture, and other movable property of value. The trip across country was made in wagons and was very long and tiresome. Randolph, Hudson, and the Negroes remained in Texas until the close of the war. The trip across country was made in the Negroes remained in Texas until the close of the war.

Mrs. Randolph did not attempt to shoulder the responsibilty of running all three of the Louisiana plantations, but made agreements with W. I. Brown and W. A. Smith for the management of Forest Home and Blythewood, respectively. The agreement with Brown, who was to manage Forest Home, reads as follows:

I agree to employ Mr. W. I. Brown as manager on "Forest Home" plantation for the present year (1864) on the following terms: Mr. Brown is to take care of everything on the place to the best of his ability, and do nothing to the injury thereof. Mr. Brown is to receive in payment for services one third of the net proceeds of the crop he makes, after all expenses for the year are paid, which expenses are to be paid out of the crop he makes. I or my representatives are to receive two thirds of the net proceeds of the crop. Mr. Brown is to pay one third of the expenses for the year, and one third of the taxes on the crop. I or my representatives are to pay two thirds of the expenses for the year. All advances in money for the cultivation of the crop during the year is to be returned in full to the employer or representatives. I or my representatives are to have control of the plantation, and the

⁷⁵ Agreement between J. K. Metcalfe and Hudson and Randolph, March 3, 1864, Randolph Collection.

⁷⁶ Mrs. S. Miller Williams, tenth child of Randolph, to writer, Fort Smith, Arkansas, July 1, 1936.

⁷⁷ Interview with Susan Green, July 7, 1936. She was one of the slaves who made the trip to Texas.

disposal of the crop, and are to receive all the money due therefrom. Mr. Brown is to furnish himself with everything the place does not afford free of charge. 78

On the same day Mrs. Randolph drew up a contract with Smith. It was practically the same as the one she made with Brown for Forest Home, with the exception that Smith was given the privilege of living in the overseer's house on Blythewood. Both agreements were drawn up and signed on January 4, 1864.79

After the war was over, in order to carry on the work on the land in Washington County, Texas, Randolph drew up a labor contract with the Negroes on the place, who were then freedmen.80 These Negroes, fifty-nine in number, agreed to work for Randolph from July 29, 1865, to January 1, 1866. Randolph agreed to furnish "wholesome food, houses, clothes, medical attendance and medicine," and "to support those members of their families who are incapable of supporting themselves by labor." The contract was signed by Randolph, and the names of the fifty-nine Negroes were listed with a cross beside each name.81 Just after the close of the war there were two forms of contracts which presented themselves to the planter—one was the hiring for a share of the crop, a place to live, food to eat, etc., while the other was hiring for wages of a stipulated amount. The planter knew very little about the latter plan, so he usually employed the former.82

During the post-war years the sugar business was not so profitable for Randolph as it had been during the ante-bellum period. He continued the cultivation of sugar cane, but his annual income was considerably reduced and did not nearly equal what it had been in the prosperous 1850's. As an example, the years 1862 and 1868 may be compared to show the difference in the amount of sugar made in those two years. At Forest Home plantation, where a total of 710 hogsheads were produced in the 1861-62 crop year, only 110 hogsheads were made in 1868. And similar contrasts may be seen in the comparative productions

⁷⁸ Agreement, Emily J. Randolph with W. I. Brown, January 4, 1864, Randolph Col-

lection.

79 Agreement, Emily J. Randolph with W. A. Smith, January 4, 1864, Randolph Col-

Agreement, Ennly 5. Relately 1. Relately 1

on Nottoway and Blythewood plantations. The sugar output on Blythewood was only 120 hogsheads in 1868, as compared with 333 hogsheads in 1861-62. Nottoway made the best showing of the three as far as percentage was concerned, producing 230 hogsheads in 1868, as compared with 334 in 1861-62. There was a similar contrast in the amounts of molasses produced in these same two years.⁸³ The amounts of sugar produced on the three plantations for the year 1869 was also small: 80 hogsheads on Forest Home, 43 on Blythewood, and 115 on Nottoway.⁸⁴ In the whole of Iberville Parish only 4,907 hogsheads of sugar and 323,600 gallons of molasses were produced in 1870.⁸⁵ In 1870 Randolph's account with Burbridge showed a balance of only \$1,077.11, which was much less than his annual balances for the years just preceding the outbreak of war.⁸⁶

In 1870 the Randolph-Hudson partnership approached dissolution, because Hudson was heavily indebted to Randolph and finally had to sell out to him. On February 9, 1870, Hudson mortgaged to Randolph his share in the Blythewood plantation for \$4,570.43,87 and on January 18, 1871, Randolph purchased Hudson's half interest in the plantation for approximately \$18,000. Just before he bought Hudson's interest in Blythewood, Randolph's landed property and movables were valued at \$45,500, on which he paid \$858.87 in taxes.88

On February 3, 1872, Randolph's account with Burbridge showed a balance of \$5,484.53 due the firm, but by April 30 this balance had been reduced to \$1,358.59; and by January 1875 Randolph was again in the clear, with a balance of \$446 due him by the firm. 89 In 1872 Mrs. Randolph became alarmed for fear that her husband was in danger of losing his property, which was legally partly her own, due to the fact that the \$35,525.46 which she had inherited from her father had been taken over by Randolph and invested in the estate. Mrs. Randolph wished to show her claim to the estate and to assume control of her paraphernal property. It is assumed that she feared that her property,

84 Ibid., 1869-70, p. 19.

89 Account with Burbridge, 1872-75, Randolph Collection.

⁸³ L. Bouchereau, Statement of the Sugar and Rice Crops Made in Louisiana in 1868-69 (New Orleans, 1869), 5.

⁸⁵ United States Department of the Interior, Ninth Census (1870), III, 169.

⁸⁶ Randolph in Account with J. W. Burbridge, February 7, 1870, Randolph Collection.
87 Franklin A. Hudson to Randolph, Act of Mortgage, February 9, 1870, Randolph Collection.

⁸⁸ State of Louisiana, Parish of Iberville, Assessment Roll of 1871, Randolph Collection.

or rather her share in the estate, might be seized by future creditors; however, the available records do not fully explain the purpose of the suit instituted by her. 90 W. O. Hart wrote:

By article 2390 [Civil Code of Louisiana], the wife, during marriage, may petition "for a separation of property whenever her dowry is in danger owing to the mismanagement of her husband, or otherwise, or when the disorder of his affairs induce her to believe that his estate may not be sufficient to meet her rights and claims." all the money that a wife brings into the marriage or gives to her husband after marriage, or the proceeds of property inherited by, or donated to her, she has a mortgage on his property, provided the claim be properly recorded, and, if the husband is in failing circumstances, while our law prohibits his preferring one creditor to another, this does not apply to the claims of his wife, for he may transfer his property to her in payment of her claims against him, even though insolvent, in preference to his other creditors, reserving of course, the rights of mortgage creditors, whose claims may have been recorded before that of the wife.91

A letter from Randolph to O. Mayo, dated November 6, 1878, concerning a financial matter, shows that Randolph was short of money at that time. He wrote: "I am sorry to say to you that I am much in need of money myself, and could not conveniently spare any portion of what is coming to me." In January 1880 Randolph's account with Burbridge showed a balance of \$164.03 due them, and in 1882 he was unable to pay E. D. Leche for repair work done on the machinery, drums, juice pumps, for the erection of a tank and some pipes, and for other jobs performed on the plantation. Leche petitioned the judge of the twenty-third judicial district of Louisiana for the right to hold certain amounts of sugar and molasses on Nottoway, enough to pay the debt of \$320.45 owed him by Randolph. Randolph.

By this time Randolph's estate in Iberville Parish had been reduced to the Nottoway plantation. He had previously sold Blythewood to his son, Moses Liddell Randolph, and Forest Home to Burbridge & Company of New Orleans. The description of this division of his estate is taken up more fully in the succeeding chapter.

Emily Jane Liddell (wife) vs. Randolph (husband), 1872, Randolph Collection.
 W. O. Hart, "Rights of Women in Louisiana," in Louisiana Historical Quarterly, IV (1921), 440.

⁹² Randolph to O. Mayo, November 6, 1878, Randolph Collection.

²³ Petition of E. D. Leche against Randolph, February 2, 1882, Randolph Collection.

CHAPTER V

FAMILY AFFAIRS AND THE DIVISION OF THE ESTATE

As stated in an earlier chapter, Randolph came to Iberville Parish, Louisiana, from Wilkinson County, Mississippi, in 1841. He traveled by coach, following the general course of the Mississippi River until he reached a point opposite his future home in Louisiana, from which he crossed by a small ferry to the west side of the river. At this time his family was very small, as he had only one child, a son named Algernon Sidney. The plantation which Randolph bought from Dr. Henry A. Doyle, called "Forest Home," was situated about five and a half miles from the banks of the river and fronted on Bayou Goula. Forest Home plantation was probably so called because a large part of it was covered with virgin timber, mostly cypress trees. The home itself was built on the edge of the forest, and as there is no record to show that Randolph built the house in which he lived, it is assumed that it was already there when he bought the plantation from Dr. Doyle.1

The first few years at Forest Home were years of skimping and saving to make ends meet, as the establishment of a sugar plantation required a large initial outlay of funds. Beginning in the late 1840's, however, and extending to 1862, Randolph's financial condition took an upward turn, and he became one of the most successful sugar planters of the district. The plantation was his gold mine, and it was here that he produced an abundance of sugar, which he sold for good profits.

Paralleling his increase in wealth was an increase in his family in the years prior to the Civil War. Eleven children were born to him and his wife. The first, Algernon Sidney, was born in Mississippi, and the others in Louisiana: John Hampden, Jr., Peter Everett, Ella E., Mary Augusta, Emma Jane, Cornelia, Sallie Virginia, Annie Caroline, and Julia Marceline.²

There were few schools in and around Bayou Goula, and, because of poor means of transportation, Randolph found it necessary to hire teachers for his children, and he once employed a graduate of Yale to instruct them. The tutors instructed the children of other planters in the neighborhood as well as those

¹ Interview with Mrs. H. E. Upton, July, 1935.

² Genealogical Record of Bethia Liddell, Recorded by Frank L. Richardson, October 26, 1885, Randolph Collection.

of Randolph.³ In a letter to her brother, Mrs. Randolph wrote: "We employed a young lady to sew for Carolina in January. She afterwards taught the children about two months, and is now gone to her family. I am sorry she did not remain all the year as she would have made my children pretty good scholars in that time."4 Carolina was Mrs. Randolph's niece, the daughter of her sister, Nancy C. Liddell, who was married to William Griffin and who died in 1844. As Randolph was indebted to his father-inlaw, Moses Liddell, he took charge of Carolina and advanced money for her education. One of the teachers whom Randolph hired was a Miss Johnson, and another was Mr. F. G. Cummings.⁵ Besides employing teachers who gave his children the rudiments of their education, Randolph engaged special instructors who taught them music and dancing. On October 12, 1850, his records show an expense of eighty dollars for a Mr. Plissy's services as a dancing teacher,6 and from time to time money was paid to music teachers. A Louisiana writer thus describes the instruction of the children on the Southern plantation:

After breakfast, the tutor, usually a graduate of some Northern college and treated like the gentleman he was, would instruct them (the children) until lunch. . . . More studies until dinner, then long sunny hours spent in horseback exercise or playing in the large yard, swinging, jumping the rope or risking their necks on the joggling board.

Once a week the dancing master held classes, when the young people of the neighborhood would assemble in one home or another and though the dances were decorous square dances varied by an occasional waltz, so abhorred of Byron, the enjoyment was not less.7

Randolph's eldest son, Algernon Sidney, was prepared for the University of Virginia at Mr. Franklin Minor's school near Charlottesville, Virginia, which cost Randolph a considerable sum of money. Throughout Randolph's expense books such items as the following are found: "June 2, 1855, paid F. Minor for Syd. \$125: ... September 19, paid F. Minor for Syd, \$150."8 After leaving Minor's school, Algernon Sidney attended the University of Virginia and later studied medicine in Philadelphia, but came

Interview with Mrs. H. E. Upton, July, 1935.
 Emily J. Randolph to St. John Liddell, June 12, 1846, in possession of Mrs. L. B. Liddell.

Liddell.

⁵ Plantation Book, November 20, 1850, June 30, 1852, Randolph Collection.

⁶ Ibid., October 12, 1850.

⁷ Louise Butler, "The Louisiana Planter and His Home," in Louisiana Historical Quarterly, X (1927), 355-63.

⁸ Plantation Book, June 2, 1855 to September 19, 1855, Randolph Collection.

to New Orleans to serve his period as an interne. Later, Randolph's second son, Moses Liddell, was sent to Mr. Minor's school, too, and the items from 1857 to the Civil War read as follows: "June 6, 1857, paid to F. Minor for boys, \$200 . . .; August 28, 1858, check sent to Algernon Sidney and Moses Liddell, \$500." Still later the third son, John Hampden, Jr., received money while attending schools in the North,10 among them the Van Rensselaer Polytechnic Institute at Troy, New York. 11 Subsequently he taught for years at Louisiana State University, first as instructor in mechanical engineering, including workshop instruction in construction of machinery, and later as professor of mechanics.¹² Randolph's eldest daughter, Ella, was also sent North, to Robert Archer's school for girls in Baltimore, Maryland. This was presumably a fashionable girls' school, judging from the expenses listed in Randolph's books. On June 24, 1854, he paid \$300 to Archer for the first session of Ella's schooling; \$277.61 on July 23, 1855; and \$499.70 on September 18 of the same year. The next payment was for \$529.33, made on March 7, 1856.13 Eight of Randolph's eleven children married, and some lived to a ripe old age.14

During the prosperous 1850's Randolph enjoyed his wealth and spent money lavishly. He was a great traveler, his sojourns took him to the North quite frequently, and his expense books show much money spent in this way. He was continually making trips to New Orleans, Plaquemine, Baton Rouge, Black River, Last Island, the Attakapas region, the Mississippi Gulf Coast, Texas, and other places. In 1852 a trip north cost him \$720.75, and still another in 1856 cost him \$1,250. Many of his visits to New Orleans were on business, and each time he spent quite a sum of money. A trip there on January 11, 1853, cost him \$412; another on February 10, 1853, \$304; and a third on March 10, 1853, \$237.15

Interview with Mrs. H. E. Upton, July, 1935.
 Plantation Book, 1854-1861, Randolph Collection.
 Daily States (New Orleans), April 26, 1915.
 Louisiana State University, Report of Board of Supervisors, 1882-1896 (Baton

Rouge), passim.

13 Plantation Book, 1854-1861, Randolph Collection.

14 Moses Liddell married Jane G. Conner of Natchez, on January 23, 1872; John Hampden, Jr. married Sara Walker in 1873; Ella married Lovick Feltus on February 28, 1861; Emma Jane married Reverend Dillon Lee on November 22, 1870; Mary Augusta married H. E. Upton on August 13, 1875; Annie Caroline married W. J. Rozier on June 8, 1881; Julia Marceline married Valle Ragburne on June 14, 1883. Cornelia, the author of The White Castle of Louisiana, a novel with the plantation "Nottaway" and its surroundings as a setting, married Dr. William Murrell on June 27, 1883. Peter Everett and Sallie Virginia never married. Genealogical Record of Bethia Liddell, Recorded by Frank L. Richardson, October 26, 1885, Randolph Collection.

15 Plantation Book, 1852-1854, Randolph Collection.

On one of his Hudson River trips the steamer "Henry Clay" was burned, and although Randolph escaped injury, a great number of the travelers lost their lives. Mrs. Randolph, in a letter to her father, gave her husband's description of his escape from the burning steamer:

Mr. Randolph says that he was on the top deck at the time and seeing a dense volume of smoke coming from below he ran to the front of the boat, which was run ashore immediately, and he jumped twelve or fifteen feet to the ground. The boat was then one mass of flames. The ladies who were in the after part were nearly all lost. The scene, he says, was the most distressing ever witnessed. He supposes 150 souls must have perished by the fire and water. Mr. Randolph had also the good fortune to save his trunk, but lost his carpet bag. 16

Last Island, off the Gulf Coast of Louisiana, was a fashionable resort for the wealthy planter class at this time. Randolph and his family were frequent visitors to this island in the 1850's. On September 5, 1853, Randolph recorded an expense of \$290 for a trip to Last Island. 17 In a letter to St. John R. Liddell, Francis D. Richardson (Randolph's brother-in-law) wrote: "Just returned from Last Island. J. H. Randolph and all his family were there and we spent a pleasant time. They (the Randolphs) have great reason to be proud of their family, for it is seldom we meet with one so large and all so sprightly and interesting." Another resort of the planters was Mississippi City on the Gulf Coast. In a letter to St. John R. Liddell, Randolph wrote, "I reached home on the first of August (1854) after an absence of seven weeks. . . . I visited the Virginia Springs. . . . We expect to start tomorrow for Mississippi City on the sea coast to spend about ten days."19

Randolph was also very much interested in hunting. A large part of the 2,000 acres that comprised Forest Home plantation was wooded. This and adjoining regions in the neighborhood of Grand River and Lake Natchez contained an abundance of wild game, including bear, deer, wild horses, and wild cattle. To St. John R. Liddell, Randolph once wrote: "I have fine sport now shooting deer in the back water. By wading up to my knees in

¹⁶ Emily J. Randolph to Moses Liddell, August 15, 1852, in possession of Mrs. L. B. Liddell.

 ¹⁷ Plantation Book, September 5, 1853, Randolph Collection.
 18 Francis D. Richardson to St. John Liddell, September 3, 1853, in possession of Mrs. L. B. Liddell.
 19 Randolph to St. John Liddell, August 8, 1854, in possession of Mrs. L. B. Liddell.

water I can jump them up as thick as rabbits."²⁰ It is said that at one time bear were plentiful in the swamp lands of Iberville Parish, and in order to encourage them to stay in the area, Randolph grew corn on a tract of his land situated in the woods for the bear to feed on. Wild horses and cattle were in abundance at one time, and he had great sport catching them.²¹ His close friend and neighbor, Paul O. Hebert, governor of the state from 1853 to 1857, was also a sportsman. In a letter to St. John R. Liddell, Randolph wrote: "Governor Hebert is anxious to take a hunt with you on Catahoula Lake and says he will go up in November, if I will go with him but I don't see how I can leave then as I will be in the midst of sugar making, and have no one here that I could leave in my place."²²

Thus Randolph spent the less busy summer months traveling, hunting, and attending to minor details on the plantation, with the intervening time devoted to reading and keeping up with the stirring political events of the day. He was a subscriber to many newspapers and magazines, including the Southern Sentinel, the local newspaper published at Plaquemine, the New Orleans Weekly Picayune, the Wilkinson Whig, the National Intelligencer, Harper's Magazine, the Quarterly Review, the Young American, and, for his wife, the Home Gazette and Lady's Book. Two interesting books which Randolph bought, as perhaps did most other wealthy people of the time, were John James Audubon's great works, Birds of America and Quadrupeds of North America. For the first he paid \$166.67, and for the second, \$300. Due to the fact that he received his early education at Mrs. Audubon's school in West Feliciana Parish, he presumably had a dual purpose in acquiring the books.²³

Randolph was a very religious man and belonged to the Episcopal Church. Throughout his expense books are numerous records of contributions to the church, and it is believed that he was instrumental in establishing St. Mary's Church at Bayou Goula. On November 5, 1849, he gave C. A. Thornton \$150 for bricks for that building, and on the following day, \$115 more for the same purpose. On April 5, 1850, he paid Nicol \$100 for expenses on the church, and on October 27 of the following year.

Randolph to St. John Liddell, August 11, 1844, in possession of Mrs. L. B. Liddell.
 Interview with Mrs. William Whipple of Baton Rouge, June 24, 1936.

Randolph to St. John Liddell, August 8, 1854, in possession of Mrs. L. B. Liddell.
 Plantation Book, 1850-1860, Randolph Collection.

he paid Mr. Lee \$100 as his subscription to its support. through the 1850's he gave large sums toward the maintenance of the church and the support of the pastor, and on March 15, 1859, paid \$666 as an installment on the parsonage.24 A year earlier he gave to St. Mary's Church his interest in the plot of ground, valued at \$5,000, which he had purchased from Mrs. Winn on March 30, 1857. He had not finished paying for the lot, so Mrs. Winn canceled the note and donated her share also.²⁵ Ten years later, September 2, 1868, he gave to the church another plot, measuring forty feet frontage on the Bayou Goula road with a depth of 213 feet. The first piece of land was given as a building site for the parsonage, and the second strip was to be used for a cemetery.²⁶ The "St. Mary's Cemetery" may be seen today as one travels along the Bayou Goula road. It is near where once stood Blythewood home before it burned in 1934. Randolph and his wife were buried there, as well as a number of their children, grandchildren, and other relatives. Randolph's grave is marked by a monument which stands above the others in the little cemetery. His other philanthropic donations were numerous. Once he gave \$250 for a scholarship to a Plaquemine Seminary, and contributed frequently to an orphan asylum, presumably in New Orleans, operated by a Mrs. Butler.27

In 1856 Randolph decided to build a new home on his plantation fronting the Mississippi River. At this time other fine homes were being built in this section of Iberville Parish. The magnificent "Belle Grove," near the town of White Castle, was erected in 1857, and the home of the descendants of Joseph Erwin, just below Plaquemine, was built in 1858.28 On June 12, 1856, he paid John Bennett \$150 for drawing up a plan for a new house.²⁹ and a year later he contracted with Howard L. Diettel, a New Orleans architect, to superintend the erection and completion of the struc-According to the terms of the contract, Randolph paid Diettel \$1,250 to design and prepare all drawings and specifications, to employ workmen, and to purchase certain materials needed in the construction. Randolph paid this money in the following manner: \$150 when the drawings and specifications were prepared; \$300 when the framework of the dwelling was

²⁴ Ibid., 1849-1859.

²⁵ Record of Conveyance Book "5," No. 216.
26 Ibid. "9" No. 164.
27 Plantation Book, March 13, 1858; December 2, 1854, Randolph Collection.
28 J. G. Ewing, Know Louisiana (Baton Rouge, 1933), 71-73.
29 Plantation Book, June 12, 1856, Randolph Collection.

erected and the brickwork of the kitchen finished; \$300 when all the roofs were slated and the floors laid; and \$500 when the building was finished. Furthermore, Randolph paid Diettel's traveling expenses to and from New Orleans during the process of construction.30 The lumber used in building the house was cut from Randolph's cypress swamp land, and it was sawed and planed at his own mill.31

Randolph made a similar agreement with a carpenter, Timothy Joyce, who apparently caused him much trouble. On August 19, 1859, Henry Howard (evidently Randolph's attorney in New Orleans) wrote to Randolph concerning Joyce: "I regret to learn from yours of the fifteenth inst. of the great trouble you have with Mr. Joyce. I hardly know how to advise you in the matter, but would suggest (for your own benefit) to allow him to finish his contract with you. At this season of the year it is almost impossible to employ good carpenters. However, I will do my best to employ two good ones should I succeed, I will send them up immediately."32

In the contract Joyce had agreed "to do all work required in the finishing of the country residence, then in course of construction . . . according to certain elevations, plans and working drawings designed and prepared by Diettel . . ., and according to such further working drawings and directions in explanation thereof as may be furnished from time to time." For this work Randolph paid him \$3,800, payable \$40 per month for every good workman employed, and the balance when the job was finished. The contract further read: "He (carpenter) shall work, dress, and stick all the floor and ceiling planks, mouldings, etc., (that may be required) with his own workmen."33

The next undertaking which confronted Randolph after the house was constructed was the problem of having it painted. On May 5, 1859, he drew up a contract with Messrs. Leguin and Corraine whereby they agreed to execute all the painters' and glaziers' work for the sum of \$650, and Randolph agreed to furnish all paint and other materials needed.34

The windows of the house were equipped with rolling Venetian blinds. The ornamental iron railings were capped with

Contract, Randolph with Howard L. Diettel, June 8, 1857, Randolph Collection.
 Interview with Mrs. H. E. Upton, July, 1935.
 Henry Howard to Randolph, August 19, 1859, Randolph Collection.
 Contract, Randolph with Timothy Joyce, June 9, 1858, Randolph Collection.
 Contract, Randolph with Messrs. Leguin and Carraine, May 5, 1859, Randolph

Collection.

moulded handrails of appropriate design. The gallery floors were neatly laid down with white lead in the joints. Copper strips were nailed on the floors around the bottom of each anta and pilaster. The whole of the interior floors was worked, dressed, and laid in the best manner with close and even joints. The hearths of the fireplaces had mitered borders. The skirtings (baseboards) were made according to the drawings, all properly scribed and fitted to the floors. Knobs of wood were fixed into the skirtings behind each door, to prevent the lock handle from breaking the plaster. The rails and balusters of the stairs were made of mahogany. The doorways throughout the building were handsomely trimmed The pantry, china closet, kitchen, store and wine rooms were fitted up in the very best and most appropriate manner, with dressed wood shelves, drawers, bakers, and sash cases for the china. There were two rain-water cisterns of 10,000 gallons capacity. The kitchen building was well-constructed and finished with ceiled galleries.35

The painters put four good coats on the entire building, inside and out, and did the same for all outhouses. After the first coat was applied, all nail holes, cracks, and other irregularities of the surface were filled with oil putty and smoothed down to an even surface. The gallery floors were painted to a stone color, and the windows and blinds done with Paris green. cistern staves and top were done in chrome green, the hoops in The mahogany stair railings were handsomely varnished, and the rails were polished. The outside of the window sashes was done in a rich brown or chocolate color, and the rest of the building in plain white.36

The plastering job, executed by William G. Supple, cost Randolph \$1,901.91.37 The home was fitted with an up-to-date gas apparatus which produced a good quality of light. In August 1859 Randolph paid Harry Guild of New Orleans \$400 for this contrivance, and the balance of \$400 in March 1860.38

When completed, the mansion presented a magnificent and elaborate type of Virginia architecture, strikingly beautiful in its own way. As seen today, it is very much as it was in 1859. At the present time it is owned by Dr. Whyte G. Owen, who lives

Contract, Randolph with Joyce, June 9, 1858, Randolph Collection.
 Contract, Randolph with Leguin and Carraine, May 5, 1859, Randolph Collection.
 Bill for Plastering Randolph Home, June 20, 1859, Randolph Collection.
 Agreement, Randolph and Harry Guild, August 11, 1859, Randolph Collection.

in it with his family. There are 51 rooms, counting the modern kitchen built in 1916, 200 windows, with 18 panels of glass each, and 22 white columns, 60 feet in height. "In the rear hall twelve slave bells, each with a different tone, were used to summon the servants."39 It has two principal floors, with a basement and an attic. The basement is made of rustic white stucco, with small barred windows, which are rounded at the top. The front galleries have long square columns, eight in number, which run the height of the two principal stories. On the north side there is a rounded wing with columns running the height of both floors. The galleries are lined with elaborate cast-iron railings. A pair of stone steps lead from the ground to the main entrance, the doorway which Natalie Scott says is "massively ornate, illegitimate Greek, perhaps, though really with no positive derivative."40

The interior of the home is impressive indeed. The plastering on the walls today is the same which Randolph put on in The most beautiful room in the house is the gorgeous White Ball Room. Everything in this room is white—the tiled floors, delicately carved Corinthian columns, doorways and window frames, marble mantel, and elaborate crystal chandeliers.41

Randolph decided that such a beautiful place could not exist without a name, so he called it "Nottoway." Read says that "Nottoway" is an English corruption of "Nadowa," "rattlesnake," a term which was applied by an Algonquian tribe to an Iroquoian tribe of Southeast Virginia.42 Hodge says: "The Nottoway Indians resided on the river of the same name in Virginia. They called themselves 'Cheroenhaka,' and were known to the neighboring Algonquian tribes as Mangoac (Mengive) and Nottoway, i.e., Nadawa, 'adders,' a common Algonquian name for tribes of alien stock." Linguistically, they were closely related to the Tuscarora.43 In Virginia there is a river and a county which perpetuate the name of this tribe of Indians.44 The Randolphs were supposed to have lived in Nottoway County.45 but in 1819 Judge Peter Randolph, father of John Hampden, came

³⁹ Virginia Owen, "Nottoway Mansion Has Been Called One of Nation's Most Beautiful Ante-Bellums," in Weekly Iberville South (Plaquemine), March 29, 1935. 40 William P. Spratling and Natalie Scott, Old Plantation Houses in Louisiana (New 11 Ibid., 65-66.

⁴² Read, Louisiana Place-Names of Indian Origin, 44.

⁴³ Frederick W. Hodge, ed., Handbook of American Indians North of Mexico, 2 vols.

(Washington, 1910), II, 87.

⁴⁴ Lippincott's Gazetteer of the World (Philadelphia, 1904), 1630.

⁴⁵ Interview with Mrs. Moses L. Randolph, July, 1935.

directly from Lunenburg County, which adjoins Nottoway, the line of demarcation between the two counties being the Nottoway River.

Whatever his reason, Randolph named his home "Nottoway" and moved into it in 1859, only to have the complete happiness of living in the beautiful structure dimmed by the catastrophe of 1861, which interrupted the prosperity that had prevailed during the 1850's.

There was no doubt that Randolph's sympathies were with the South, and three of his sons fought for the Confederacy. As mentioned in an earlier chapter, the eldest son, Algernon Sidney, was killed during the siege of Vicksburg in 1863. His second son, Moses Liddell, enlisted, but in 1862 his Louisiana regiment disbanded to join the army of Virginia. Moses Liddell wanted to go with his regiment, but his mother persuaded him to stay at home, as he was very young and was ill at the time. Besides, his father needed him on the plantation. The third son, John Hampden, Jr., enlisted September 1, 1862, at New Roads, Louisiana. He was captured by the Federals, and was paroled June 4, 1865.

Moses Liddell Randolph did not go back to war, but went to Texas with his father and Hudson (it is assumed) at the time when they took the slaves and other property there. At this time Texas was still in the hands of the Confederacy, while the eastern section of Louisiana was under Federal control. In December 1864 Randolph's list of Negroes numbered 157, with only three of this number having absconded to the Federals. A writer of Louisiana history says that many other plantations in that state were not deserted by the Negroes. "Some of the most valuable slaves had been sent by their masters into Texas and Alabama." 48

Toward the end of the war Randolph must have returned to Louisiana, leaving Moses Liddell in Texas to work the land and look after the slaves. Shortly before the war ended, Moses Liddell had an opportunity to sell the Negroes to a dealer in Cuba, but he refused the offer, and at the close of the war brought them back to Louisiana as freedmen, along with \$10,000 which he had made while in Texas. Years later an old Negro on Blythewood

⁴⁶ Interview with Mrs. William Whipple, June 24, 1936.
47 A. B. Booth (compiler), Records of Louisiana Confederate Soldiers and Louisiana Confederate Commands, 3 vols. (New Orleans, 1920), III, Book 2, p. 245.
48 John R. Ficklin, History of Reconstruction in Louisiana (through 1868) (Baltimore, 1910). 126

plantation, who worked for Moses Liddell, often related his experiences while in Texas during the Civil War. Susan Green, who lives on Forest Home plantation today (1936), vividly remembers the trip to Texas. She belonged to Franklin Hudson at the time, and was very young. The trip was made by wagon across country, taking a long time to reach their destination. She was too young to be worked in the fields, so she was used as a house girl. According to her story, they remained two years. According to her story, they remained two years.

Another soldier in the family was Randolph's brother-in-law and close friend, St. John Richardson Liddell. Liddell rose to the rank of brigadier general, commissioned on July 12, 1862. A lengthy and interesting discourse could be written here on the military exploits of General Liddell, who took a prominent part in the war, but time and space does not permit.⁵¹

Randolph did not go to war himself, but he was a strong supporter of the Confederacy. He helped out in a financial way and once subscribed \$500 to a \$1,250,000 loan which was placed in the hands of the Committee on Public Safety for the defense of New Orleans against United States forces.⁵² On January 24, 1861, he subscribed \$100 to the "Bayou Goula Guards"; and, on April 16 of the same year, he gave \$10 to the "Shreveport Greys"; on June 1, 1861, he gave \$20 to the "Irish Company"; on July 15, 1861, he gave \$100 to J. A. Ventress' Company; and on the same day gave a like amount to Keep's Cavalry Company.⁵³

In 1867, in order to become a qualified voter of the state, Randolph had to take an oath made out by the Register's Office of the State of Louisiana. It read as follows:

UNITED STATES OF AMERICA

State of Louisiana Register's Office Parish of Iberville Oath

I, John H. Randolph, do solemnly swear, or affirm, in the presence of Almighty God, that I am a citizen of the State of Louisiana, that I have resided in said State for

53 Plantation Book, January 24-July 15, 1861, Randolph Collection.

⁴⁹ Interview with Mrs. William Whipple, June 24, 1936.

⁵⁰ Interview with Susan Green, July 7, 1936.

 ⁵¹ Fortier, Louisiana, II, 68.
 ⁵² United States War Department, The War of the Rebellion, a Compilation of the Official Records of the Union and Confederate Armies, 129 vols. (Washington, D. C., 1880-1901), Ser. I, Vol. XV, 540.

twelve months next preceding this day, and also for three months in the parish of Iberville, in said State, as the case may be; that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any of the United States; that I have never been a member of any State Legislature, nor held any executive or judicial office in any state, and afterwards engaged in insurrection or rebellion against the United States, and given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection and rebellion against the United States, or given aid or comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do. So help me God.

John H. Randolph

This oath was voted on and accepted April 18, 1868.54

At the time of its greatest extent, Randolph's estate in Iberville Parish comprised over 7,000 acres and included four sugar plantations and a considerable amount of swamp land. The four plantations were Forest Home, Nottoway, Blythewood, and Bayou Goula. In 1871 his land and movables alone were valued at \$80,150.55 From 1871 on, the amount began to fluctuate, as in that year he commenced to sell, though he reacquired certain property only to lose it again. On March 24, 1871, he sold part of Bayou Goula plantation, which he had just bought on February 13 of the same year, to George Stevens for \$2,000. Stevens paid \$1,000 cash and gave two promissory notes for the balance, each for \$500 at eight per cent interest. The land sold was Lot 78 of Township 10, Range 12 east, and contained 178.33 acres.56

On June 15, 1872, Randolph sold the whole of Blythewood plantation to his son, Moses Liddell, for \$36,000, with Moses Liddell signing six promissory notes, each for \$6,000 payable on January 1 of the six succeeding years.⁵⁷ On the same day Randolph sold Forest Home plantation to his son, John Hampden, Jr.,

⁵⁴ Oath of Allegiance to United States of America in Order to Become a Qualified Elector of State, May 25, 1867, Randolph Collection.

⁵⁵ Valuation of Property of Randolph and of Randolph and Hutchinson, 1871, from Assessment Roll of 1871, Randolph Collection.

⁵⁶ Record of Conveyance Book "10," No. 308.

⁵⁷ Ibid. "11," No. 179.

and his son-in-law, Lovick V. Feltus, each receiving an undivided The price for this plantation was \$48,000, one half to be paid by each purchaser, each giving six promissory notes of \$4,000, each note falling due on January 1 of the years from 1873 to 1878. The plantations sold, Blythewood and Forest Home, were both mortgaged in favor of Randolph to assure payment.58

On January 4 of the following year (1873), Randolph sold his half of the swamp land, which he and Holmes Hutchinson had bought together in 1855 from the state of Louisiana, to John Hampden Randolph, Jr., for the sum of \$1,746.12. The amount of land transferred in this sale was 1,428.72 acres. And, on the same day, the other half of the Randolph-Hutchinson swamp lands was transferred to the heirs of Holmes Hutchinson. 59 Still another sale was executed on June 4, 1873, when he sold for \$2,250 the remainder of the Bayou Goula plantation to J. W. Burbridge of New Orleans, represented by Jacob McWilliams of Iberville Parish, being Lots 79, 80 and 81 in Township 10, Range 12 east, containing 1,182.24 acres. 60

In order to make this an exhaustive study, it would be necessary to make a trip to Haskell County, Texas, to find out how and when Randolph's lands in that county were disposed of. The available records are not full enough to show what became of his property there, but on February 14, 1874, J. S. Stewart of Austin, Texas, who with Randolph owned two sections of land in Haskell County, wrote to Randolph telling him of an offer he had to sell the land. 61 It is assumed that Randolph accepted the offer.

Presumably, John H. Randolph, Jr., and L. V. Feltus did not succeed as sugar planters on Forest Home, because on March 11, 1874, they resold to Randolph, which in reality amounted simply to the cancellation of the debt owed by them to Randolph. And on the same day John Hampden, Jr., returned the swamp land which he had purchased from his father the year before.

Sometime in his life Randolph acquired some land in Catahoula Parish, but when and how is not exactly known; on October 23, 1878, however, he sold his three-fourths interest in this tract, which contained approximately 200 acres, to W. W. Walters

⁵⁸ Ibid., No. 178.

 ⁵⁰ Tbid., No. 247.
 60 Ibid., No. 248.
 61 J. S. Stewart to Randolph, February 14, 1874, Randolph Collection.

for \$1,500. This land was situated about one mile above the town of Trinity on the south side of Little River and was part of the Troy plantation. It had been conveyed to Randolph by Mrs. Charles Jones. Walters paid \$375 in cash, and gave two promissory notes for the balance of \$1,125, payable two years after date at eight per cent interest.⁶²

Randolph sold Forest Home plantation on January 7, 1879, to J. W. Burbridge, Thomas D. Miller, and T. L. Lyon of New Orleans, composing the commercial firm of J. W. Burbridge and Company, for \$15,000. At the time Randolph was heavily indebted to Burbridge, and actually received only \$4,500 in cash. The firm held two notes against him, which were due at this time, one for \$5,500 and another for \$5,000. Besides these notes Burbridge and Company held three more notes against Nottoway plantation, amounting to \$9,000 in all, which they agreed to carry over one year, and Randolph agreed to pay ten per cent interest in advance. At this time Randolph had a balance of only \$975 with the firm.⁶³

This, perhaps, was the last large business transaction made. Randolph died on September 8, 1883, and on September 12, the Daily Capitolian Advocate of Baton Rouge carried this obituary notice:

John Hampden Randolph, Esquire, a gentleman of the old school, the well-known prominent planter of the parish of Iberville, and father of our esteemed friend, Professor Randolph of the State University, died at his home, on last Saturday, at the ripe age of seventy years. He leaves a family of cultured daughters and sons, to whom, with their large number of friends, we extend our earnest sympathy in the great loss they have sustained.⁶⁴

After her husband's death Mrs. Randolph petitioned on September 29, 1883, for the possession and control of the estate. The petition read as follows:

The petition of Mrs. Emily Jane Randolph, widow of the late John H. Randolph of this parish represents: that her said husband departed this life at his domicile in Iberville Parish September 8, 1883. That she was married to him December 14, 1837. He leaves surviving him your petitioner and ten children, all of them of the age of majority; that the deceased left property real and personal situated in said parish all of which was acquired subsequent to their marriage

 ⁶² Bill of Sale, Randolph to W. W. Walters, October 23, 1878, Randolph Collection.
 ⁶³ Arrangement, J. W. Burbridge and Company and Randolph, December 28, 1878,
 Randolph Collection.
 ⁶⁴ Daily Capitolian Advocate (Baton Rouge), September 12, 1883.

and is community property. That his estate is full solvent. requires no administration, and she desires to be put into possession thereof, without benefit of inventory, as widow in community and to be recognized as the full owner of the undivided half and the usufructuary of the remaining hereof, as surviving widow in community. Wherefore the annexed affidavits being considered, petitioner prayed that she be put in possession of the estate of J. H. Randolph deceased, in full ownership of one undivided half as usufructuary during her natural life.65

On January 7, 1886, Mrs. Randolph bought the St. Victoria plantation containing 190 acres from Emily Lee, widow of J. S. Rousseau, Sarah Rousseau, widow of J. Martinez, and Octave Rousseau for \$4,500. She paid \$1,500 cash and gave three promissory notes for \$1,000 each. This plantation was situated in the rear of Nottoway and Magnolia plantations. 66

Mrs. Randolph held on to her possessions in Iberville Parish until January 29, 1889, when she sold all the land that was left, except the swamp lands, to Desire P. Landry and U. B. Dugas of Assumption Parish for \$50,000. Landry and Dugas paid \$15,000 in cash and for the balance gave seven promissory notes, each for \$5,000, in favor of Moses Liddell Randolph, John H. Randolph, Mrs. Annie Randolph Rozier, Miss Sallie V. Randolph, Mrs. Cornelia Randolph Murrell, Mrs. Emma Randolph Dillon, and Mrs. Emily Jane Randolph. Dates of payment ranged from January 1, 1890, to January 1, 1892.67

^{1, 1890,} to January 1, 1892.67

***Secord of Conveyance Book "17," No. 12.

***Secord of Conveyance Book "17," No. 12.

***Secord of Ibid. "18," No. 256.

**The sale read as follows: "A certain sugar plantation situated in Iberville Parish on the right bank of the Mississippi River bounded above by lands of Joseph A. River, Maurice Hanlon, Chambers, Austin Hunt, et als; below by lands of Trghan and Daigle and Mrs. H. Hartmand, and in rear by land of Henry Baldwin, Mrs. Pauline Dupuy, et als., containing 1193 acres more or less, together with all buildings and improvements, rights of way, privileges and servitudes thereon together with forty-three mules, and all other agricultural improvements and utensils attached to said plantation . . . and is composed of the following parcels of land (1) a certain tract of land . . . situated in Iberville Parish . . . containing three arpents front on said river and a depth of forty arpents running between parallel lines, bounded above by lands of Joseph A. Gallagher, and below by lands of Austine Dubuclet; (2) Another tract of land situated in Iberville Parish, being Lot 78, Township ten, Range thirteen, East, containing 45.37 acres; (3) Another tract . . . situated in Iberville Parish and designated as Lot twenty-four, Township ten, Range twelve, East, containing 46.80 acres, being the three tracts which said John H. Randolph acquired of Firmin D. Landry: (II) A certain tract of land situated in Iberville Parish . . measuring two arpents and 36 feet front . . by 40 arpents in depth, bounded above by said Randolph and below by land of Dubuclet and Furand. Said property acquired by John H. Randolph from Mrs. Josephine Bougeois. (III) A certain tract . . situated in Iberville Parish, west side of river at above 74 arpents from said river containing 70.14 arpents, bounded towards river by land of said Randolph and land of Dubuclet and Furand, below by land of Adam Hartman, above by land of E. J. Sigur and in rear by W. C. S. Ventress acquired from E. J. Sigur. (1V) (1) A certa

All of the swamp lands which had been handed down to Randolph's heirs were sold by Moses Liddell Randolph, who had been appointed agent by them, on October 19, 1901, to the L. Baist Cooperage Company of Plaquemine for \$2,100. This was the 3,607 acres of swamp land which Randolph had purchased from the state of Louisiana in the 1850's.68

Because the mansion "Nottoway" is still in existence and has not passed into oblivion as so many of the ante-bellum homes have done, particularly those near the banks of the Mississippi River, it is interesting to know through what hands it has been handed down to the present day. On January 18, 1899, it was sold at public auction for \$100,000 to M. F. Landry and U. B. Dugas. Dugas and Desire P. Landry were the former owners, having purchased it from Mrs. Randolph, but Landry, for some reason, decided to sell his interest; it was bought by his former partner and M. F. Landry. 69 As these two owners were unable to pay the obligations, they sold to Mrs. Marie F. Keith, and on March 2, 1909, Mrs. Keith sold to E. S., James D., and Alphonse Hanlon, in equally divided shares. The Hanlons paid \$63,000, of which \$20,000 was in cash, assumed the payment of a promissory note for \$10,000, and furnished seven promissory notes for the balance. Then, on March 5, 1913, Nottoway was sold to Dr. Whyte G. Owen for \$54,000 at a sheriff's sale. Later, Owen gave up an attempt to run the estate as a sugar plantation and sold most of the 1,193 acres, keeping the home and only a few acres which surround it. He and his family have lived at Nottoway until the present time and have kept it in a splendid state of repair, so that today as the tourist drives along the river road he sees Nottoway, majestically facing the mighty river as it did, in all its splendor, in ante-bellum days.

formerly T. N. Galla; her, below by land of said Randolph, and in rear by land of said Randolph, and is same property which Randolph acquired from J. A. Gallagher (VII) Lots one, two and three of Section ninety-six, Township ten, Range twelve, East, containing 223.48 acres and is part of the same property acquired of said Randolph from E. E. Norton assignee of Foley, Avery and Company bankrupts. (VIII) Certain tract situated in the parish . . . designated as a portion of Section twenty-eight, of Township ten, Range eleven, East, bounded above by land of L. Cappoux, below by roadway reservation belonging to Mrs. Dupuy and in front by part of Lot twenty-eight belonging to J. R. Rivet, J. B. Peltier, and Mrs. W. H. Gilbert, containing forty-nine arpents, acquired by Mrs. Randolph from Mrs. Pauline Dupuy, (IX) Certain tract of land . . . being northwest corner of Lot two, Section ninety-four, Township ten, Range twelve, East, containing about 800 superficial feet, bounded on north by land of W. P. LaCroix, and west by land of W. C. S. Ventress. Acquired by Randolph and his widow. . . (X) Certain tract or plantation . . . about two miles below town of Bayou Goula in the rear of Nottoway and Magnolia plantations containing 190 acres, bounded in front towards river by Nottoway plantation, below by land of Nottoway plantation and above by Magnolia plantation of Maurice Hanlon. Said tract known formerly as St. Victorine Plantation." Record of Conveyance Book "20," No. 403.

<sup>lbid. "34," No. 38.
lbid. "40," No. 167.
lbid. "41," No. 965.</sup>

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Interviews

The author had interviews with the individuals listed below, some of whom are descendants of John Hampden Randolph, and others of whom were acquainted with him and knew something about the life on his plantation.

Mrs. Moses Liddell Randolph, wife of Moses Liddell Randolph, second child of John Hampden Randolph.

Mrs. H. E. Upton, sixth child of John H. Randolph.

Mrs. William Whipple, granddaughter of John Hampden Randolph.

Dr. Whyte G. Owen, the present owner of Nottoway Place.

Virginia Owen, granddaughter of Dr. Whyte G. Owen.

Mrs. L. B. Liddell of Baton Rouge, Louisiana.

Susan Green of Forest Home Plantation, former slave of Franklin Hudson.

BOOK REVIEWS

By WALTER PRICHARD

The Territorial Papers of the United States. Compiled and edited by Clarence Edwin Carter. Vol. IX. The Territory of Orleans, 1803-1812. (Washington: Government Printing Office, 1940. Pp. vii, 1092. \$2.50.)

During the past several years Dr. Carter has been engaged in the important work of compiling and editing The Territorial Papers of the United States. Volume IX of that series is entitled The Territory of Orleans, 1803-1812; and for students of Louisiana History it is a most welcome addition to the series. It assembles in convenient form much pertinent documentary source material that is not readily available elsewhere. The documents are printed in chronological order, beginning with the elaborate preparations made by the United States for taking possession of the Louisiana Purchase in the face of avowed Spanish opposition, and tracing the history of the Territory of Orleans through the different stages of territorial government until it emerges as the new State of Louisiana in 1812.

Some of the more important topics upon which the volume contains a mass of material are: the events of the transfer of Louisiana from France to the United States; the difficulties involved in the establishment of the American system of territorial and local government, complicated by the desire of the native Creoles for immediate statehood and their opposition to new forms of administration with which they were unfamiliar; the conflict between the old and new systems of jurisprudence, and the consequent problems involved in establishing the territorial judiciary. according to the American pattern which was strange to the bulk of the population; the strained relations between Spain and the United States over the transfer, and the anxiety of Governor Claiborne over the lingering of Spanish officials in New Orleans under various pretexts; the division of the new American residents into two political factions, each seeking to win the support of the Creoles in an attempt to control the territorial administration; the attempt to adjust the vexing question of land titles and to establish the rectangular system of land survey; the organization of the territorial militia, and the place of the free men of color in the militia system; the extension of the United States postal system to the new territory and the improvement of postal communication with other parts of the nation; the problem of defense of the territory against the threat of Spanish encroachment from Texas and internal commotions, such as the Kemper Insurrection, the Burr Conspiracy, and the West Florida Revolution of 1810; the attempt to establish a system of free public schools along the lines of Jefferson's ideas, in a region where the mass of the population had little or no interest in such a forward-looking plan; and the movement for statehood and its successful culmination in 1812.

There is also much material of interest to the biographer and the genealogist, in the list of civil and military officials in the territory as well as in other documents printed in the volume. The development of commerce and internal improvement, the fear of slave insurrections and the anxiety as to the loyalty of the free people of color, the dissatisfaction of the natives with the prohibition of the foreign slave trade at a time when other parts of the United States were still permitted to import slaves from abroad, the difficulties met in attempting to prevent smuggling and to enforce the Embargo Act, the high cost of living in New Orleans as compared with other sections of the United States, and a large number of other interesting topics are here represented in a variety of documents.

While no attempt has been made to include in this volume all the manuscript materials available on the history of the Territory of Orleans, the very helpful footnotes serve to direct the serious student to a vast store of other manuscript materials pertaining to the subject. The mass of information contained in the ample footnotes may, however, be scant consolation for the research student who is not in a position to gain easy access to the sources therein cited.

The printers have done an excellent job and have produced an attractive volume. There is a very complete index. But the chief defect in the work is the failure of those transcribing the documents to decipher correctly a large number of the proper names. The reviewer has noted more than fifty instances of such incorrect transcriptions, all of which could easily have been detected by anyone reasonably familiar with the family names in Louisiana. However, it would be unfair to emphasize this minor defect, which does not materially detract from the great value of the volume as a whole. Students of the formative territorial period in Louisiana History will find this volume an unfailing source of information on almost any topic upon which they may be seeking additional light.

Henry de Tonty: Fur Trader of the Mississippi. By Edward Robert Murphy. Publications of the Institut Français de Washington. (Baltimore: Johns Hopkins Press, 1941.

Pp. xix, 129. Frontispiece, maps, illustrations, appendix and bibliography. \$2.00.)

This excellent little volume is an attempt to assemble in convenient form all available information on the part played by Henry de Tonty in the development of the fur trade in the Mississippi Valley. Beginning with a brief sketch of Tonty's background and career in Europe prior to his arrival in Canada in company with La Salle in 1678, the author discusses in some detail Tonty's activities as chief lieutenant of La Salle in the Illinois country and on the voyage to the mouth of the Mississippi in 1682, his attempt to cooperate with his patron in the plan to plant a colony at the river's mouth, and his efforts to succor the French colony in Texas after the death of La Salle. But the most important part of the volume is that dealing with Tonty's fur trading activities following the death of La Salle. This work of Tonty served to keep alive French interest in the lower Mississippi Valley until Iberville and Bienville planted the first permanent French colony on the Gulf coast, thus completing the line of French posts connecting the lower Mississippi with Canada before the date of Tonty's death (1704).

The author appears to have made a diligent search for all available source materials, both printed and manuscript, bearing upon the topic in hand, and he has handled his subject with such skill as to develop a rather complete and illuminating picture of this hitherto neglected phase of Tonty's career. The reader will at times experience some difficulty in following the chronology, but on the whole the volume is well organized.

The work is well documented. There are several useful maps and illustrations, and several important sources not readily

available elsewhere are printed in the appendix. The bibliography is extensive and the index adequate. There are a few minor slips in proofreading and some inconsistencies in the citation of sources in the footnotes, but these minor defects do not seriously mar the work. The printers have done an excellent job and have produced an attractive volume.

Students of the French regime in the Mississippi Valley or of the development of the American fur trade cannot afford to neglect this valuable addition to the printed works on these important subjects. However, students of Louisiana history will probably be disappointed to find so little in the volume bearing upon the early history of the region now comprised within the limits of the state of Louisiana.

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA

XC.

June, 1763

(Continued from October, 1941, Quarterly)

By G. Lugano

Revised by Walter Prichard

By the Editor of the Quarterly

List of Officials of Louisiana participating in the work of the Superior Council of Louisiana contained in this installment:

De Kerlérec, Louis Billouart, Chevalier, Governor

De Foucault, Nicolas Denis, acting Commissioner General of the Marine, and acting Intendant and First Judge of the Superior Council

De la Lande d'Apremont, Charles Marie, Councillor Assessor, and acting Procureur General

De Kernion, Jean Francois Huchet, Councillor Assessor

Delaunay, Louis Alexandre Piot, Councillor Assessor

De la Houssaye, Paul Augustin Le Pelletier, Town Major of New Orleans

Garic, Jean Baptiste, Royal Notary and Chief Clerk of the Superior Council

Lenormand, Marin, Sheriff

Dabbadie, Jean Jacques Blaise, Commissioner General of the Marine, Intendant, and First Judge of the Superior Council

Ducros, Joseph, Attorney for Vacant Estates

Soubie, Jean, Secretary to Governor Kerlérec

Darensbourg, Chevalier, Commandant at Des Allemands

Fazendé, Clerk of the Marine, and acting Commissioner and Judge at Mobile

Trouffleau, Louis Jacques, Surgeon Major of Fort St. Mary at English Turn

Lacoste, Louis, Surgeon of the King's Hospital in New Orleans

Rabigot, Jean Louis, Surgeon of the King's Hospital in New Orleans

Devergés; De Reggio; Ducros; Clerks or secretaries of the Superior Council June 1, 1763.

No. 8393. 4 pp.

Marriage Contract between Louis Jacques Troufflault and Marie Francoise Leonard. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in this city, between Sieur Louis Jacques Troufflault, Surgeon Major of Fort St. Mary at the English Turn, of age and enjoying his full rights, native of St. Arnoult, diocese of Chartres, son of Sieur Etienne Troufflault and of Madame Margueritte Maller, on one side; and Demoiselle Marie Francoise

Leonard, in the enjoyment of her rights, native of the parish of St. Louis and of the city of New Orleans, bishopric of Quebec, daughter of the late Sieur Jean Baptiste Leonard, late inhabitant of this city, and of Madame Anne Coudré, the said Demoiselle Marie Francoise Leonard being widow of the late Sieur Bertrand Buquoy, late inhabitant also of this colony.

Sieur Troufflault assisted by Sieur Louis La Coste, Surgeon of the King's Hospital in this city, and by Sieur Jean Louis Rabigot, also Surgeon of the King's Hospital in this city, his friends, for want of relatives. Demoiselle Leonard assisted by Madame Anne Coudré, her mother; by Sieur Louis Leonard, her brother; by Sieur Henry Buquoy, her father-in-law; by Sieur Etienne Broyard, her brother-in-law by Marriage; by Sieur Abraham Guitroz, also her brother-in-law by marriage; by Sieur Nicolas Lambert, her friend; and by Sieur Simon Gereau, also her friend: all inhabitants and residents of this city.

Done and passed in the Notarial Office of this city, on June 1, 1763, in the afternoon, in the presence of Sieurs Marin Lenormand and Jean Baptiste La Porte, competent witnesses, residing here.

(Signed): Louis Jacques Trouffleau; Marie Francoise Leonard; Abraham Guitroz; H. Buquoy; Louis Leonard; Etienne Broiart; Rabigot; Laporte; Lambert; Louis Lacoste; Garic, Notary.

Madame Anne Coudré and Simon Gereau declared that they could neither write nor sign.

Certificate of recordation of above marriage contract in the Registry of the Superior Council.

February 4, 1764.—Recorded in the Register of Insinuations kept in the Registry of the Superior Council of Louisiana, on folio 88, by the undersigned Chief Clerk of said Council, at New Orleans, February 4, 1764. (Clerk's sig-

nature missing.)

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 3.

2 pp.

Statement by
Darensbourg, after
having examined
various witnesses,
that Simon Draguer
(Tregre) had not sold
any cows belonging
to Blumner (Plumcler;
Plimbler).

(Plimbler—or Plumcler, or Blumner—had agreed to build a house for Simon Tregre—or Draguer—who was to deliver some cattle in payment for it. See Petition of May 17, 1763, and statements presented under date of May 27, 1763.)

(Spelling of proper names in this case presents strange changes in the different documents.) Upon Request of one Simon Draguer (Tregre), who presented me the petition filed against him by one Blumner (Plumcler; Plimbler), who represented that said Simon sold a cow to one Henry Festerman, I ordered said Henry to appear before me and he declared that he had never bought the cow mentioned in the above petition, but that said Blumner (Plumcler; Plimbler) had offered to sell him some; that he told Blumner to find out if any purchase could be made at a convenient price, which request he also made of one Belsom, who spoke to said Simon on the subject; but as a matter of fact he did not make any purchase of cows from Lumner (Blumner).

As to Sieur Thomas, he went to see said Simon Draguer to inquire if said Blumner kept any cows at his place; and Simon answered that there were two. Simon Draguer has stated several times that he would not deliver said cows until

his house was completed; but if any buyer should appear, he could leave the cows on his land together with his drove of cattle, until Blumner had finished his work. Moreover the workers had begged him not to deliver the cows until they were paid their wages.

As several people on the (German) Coast lodged their complaints with me against said Blumner because of his owing them some money, I ordered said Simon not to remit any money to Blumner, if buyers came forward, but to remit to me, so that I could satisfy his creditors. Of this Blumner is well aware; anyhow thus far none have appeared to buy cows, according to what I was told by all the witnesses I questioned. Wherefore I drafted and granted the present document to the said Simon Draguer, so that he may use it in case of need. At Charleston, June 3, 1763. (Signed): Darensbourg.

June 4.

No. 8394. 6 pp.

Marriage Contract between Thimolion Chevalier Chateau Baudeau and Marie Felicite Goudeau. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Messire Thimolion Chevalier Chateau Baudeau, officer of a company of the detached Marine Troops garrisoned in this colony, native of Hunsom, St. Fergolle Parish, Diocese of Clermont in Auvergne, son of Messire Jacques De Chateau Bau-

deau, Ecuyer, Seigneur d'Hunsom, and of Dame Marguerite

Du Coutial, on one side; and Demoiselle Marie Felicite Goudeau, native of this city, parish of New Orleans, bishopric of Quebec, minor daughter of the late Sieur Francois Goudeau, King's Surgeon in his lifetime, and of Dame Marie Pascal, who also appeared and acted and stipulated for her minor daughter, on the other side.

Sieur Chateau Baudeau assisted by Sieur De Pelletier Chevalier de la Houssaye, Town Major, and by Sieur Aubry, Infantry captain, Knight of the Royal and Military Order of St. Louis. Demoiselle Goudeau assisted by Dame Elizabeth Real, widow of the late Sieur Marin, her grandmother; by Mr. Jean Coupry, inhabitant of this colony; and by Barthelemy Gaillardy, merchant of this city.

Executed in this city, at the residence of said Dame Marie Pascal, widow of late Sieur Goudeau, on June 4, 1763, in the afternoon in the presence of Sieurs Marin Pierre Bary and Joseph Becat, competent witnesses, residing here.

(Signed): Chevalier De Chateau Baudeau; Mariane Goudeau; Marie Pasquale V've Goudeau; Le Chev. Delahoussaye; J. Couprie; Aubry; Jh. Becat; Bary; Favrot; Goudeau de Rocheblanc; Duplessis; Olivier; Marguerite Goudeaux; Garic, Notary.

Donations set forth in above marriage contract ordered recorded in the Registry of the Superior Council. July 9, 1763.—Upon Request of Thimoleon Chevalier Chateau Baudeau, officer of the detached Marine Troops; considering the donations made by Madame Real, widow of Sieur Marin, and by the future bride and bridegroom

and set forth in the above marriage contract executed before Master Garic, Royal Notary, and read during the session of the Superior Council; and having heard the conclusions of the Procureur General of the King, the Council ordered and does order that the said donations be recorded in the Register of Insinuations in the Registry of the Council, so that they can obtain full and complete effect; and the said entry was made by the Clerk on the specified Register, at folio Ro. and Po. 86.

Given in the Council-chamber, on July 9, 1763. (Signed): Dabbadie.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 4.

2 pp.

Petition by
Madame Azemare
for execution
of judgment
rendered against
Flottemanville
on May 7, 1763.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Madame de la Brosse Azemare, inhabitant of this colony, humbly prays and represents that it pleased Your Excellencies, by virtue of an order of May 7th last, to condemn Sieur Flottemanville to deliver to petitioner, within fifteen days, three hundred pieces of timber, ten feet long; to reimburse her the sum of 1077 livres and 10 sols of ex-

penses; to pay her damages for delaying the operation of the sawmill, the amount of same to be determined by arbitrators; and to pay all costs;

That petitioner caused the said order to be served on Sieur Flottemanville on the 13th of said month, and fifteen days have expired, but he did not show any concern in the matter; that, since petitioner is presently in great need of the said timber, she finds it necessary to appeal to Your Excellencies so that, all this being considered, it may please you to order Sieur Flottemanville to deliver, within twentyfour hours, the said three hundred pieces of timber; to reimburse petitioner the sum of 1077 livres and 10 sols; and to pay the damages for delaying the sawmill, the amount whereof to be fixed by arbitrators; and to pay the other expenses and costs; and, in case he should neglect to comply with said order, to condemn him to pay to the petitioner the sum of 8000 livres, that he received as the price of said timber; and that he be compelled thereto by all lawful means. And you will render justice.

New Orleans, June 4, 1763. (Signed): Azemare.

June 4.

2 pp.

Petition to the Superior Council by Jeanne Kerouret, wife of Louis Populus de St. Protais, for separation of property. Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Madame Jeanne Kerourette, widow by first marriage of Aubert Dumont, and wife, by last marriage, of Mr. Louis Populus, Ecuyer, Sieur de St. Protais, Captain of a company of detached Marine Troops, humbly prays and represents:

That being wearied and tired of Mr. De Populus' ill treatment, driven to extremities, he being without consideration

for her age and showing no appreciation of her solicitous regard for his comfort and welfare, and having no affection for her children by her first marriage, whom he treats with contempt, she decided to put aside all timidity, that restrained her thus far, and to appeal to your sense of justice, so that she may obtain peace and tranquility.

The petitioner has the honor to represent that not only the ill manner of her said husband, the blows and beating, but also the humiliation in seeing him squander her property by his daily and incessant sales, although this is forbidden to him by a clause set forth in our marriage contract, the fear of finding herself reduced to extreme poverty, and finally the bad temper of her husband, who destroys all hope of reconciliation, lead her to hope that Your Excellencies will use your power in her behalf.

Wherefore she requests that it may please you, all the above representations being considered, to allow her to submit this matter to the attention of Mr. Fazende, acting Commissioner at Mobile, and that he be ordered to hear the complaint and report his conclusions to Your Excellencies, so that judgment might be rendered thereon according to law, and to order a separation of property, with reservation of all her rights during the pendency of this case; and requesting furthermore the conclusions of the Procureur General of the King. And you will do right.

New Orleans, June 4, 1763. (Signed): Jeanne Kerouret.

June 4.

2 pp.

Petition to the Superior Council by Jean Soubie, acting for Jacques Lajus of St. Domingo, for an order directing the judicial sale of wearing apparel and a mulatto belonging to Laporte, who drew a bill of exchange on Monsanto who refused payment of same.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Jean Soubie, Secretary of Mr. Kerlerec, Governor of this province, humbly prays, in the name and acting under power of attorney of Mr. Jacques Lajus, merchant of St. Domingo, and represents:

That by virtue of the petition he filed on April 7th last, relating to a bill of exchange, of which he is the bearer, for the sum of 660 silver piastres, drawn by Sieur Laporte of St. Domingo upon Sieur Monsanto, merchant of this city, who refused the payment of same for reasons alleged in the protest served on him by

alleged in the protest served on him by the Sheriff, Lenormand, on April 11th last, the petitioner obtained an order of the Council directing Sieur Durel, merchant of this city, to produce some wearing apparel and a young mulatto, belonging to Sieur Laporte, and entrusted to said Sr. Durel, in order to make an appraisal of same before Mr. de Kernion, appointed Commissioner in this case, in the presence of the Procureur General of the King; which appraisal was effected on May 19th last.

Wherefore petitioner prays that it may please Your Excellencies to order that the aforesaid wearing apparel and mulatto be disposed of by judicial sale, at the risk and peril

of whom it may concern, said sale to be held before such Commissioner as it may please Your Excellencies to appoint, and in the presence of the Procureur General of the King, and the proceeds thereof to be paid to petitioner on account of the said bill of exchange until the specified sum of 660 silver piastres, costs and expenses shall have been paid in full; and in consideration of said payment Sieur Durel shall be duly and lawfully discharged, without prejudice to petitioner's claim for interest due on said sum and other claims and actions. And justice will be rendered.

New Orleans, June 4, 1763. (Signed): Soubie.

June 4.

6 pp.

Petition to the Superior Council by three of the Carriere brothers, emancipated minors, to be relieved from their bids at the judicial sale of effects belonging to the succession of their parents, on account of their inexperience and of the disturbing effects of the news of peace.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Noel Carriere, Mathurin Carriere and Francois Carriere, emancipated minors, sons and heirs of late Joseph Carriere,

humbly represent:

That when, on February 14th last, was held the judicial sale of the slaves belonging to the said succession, petitioners offered their bids for the purpose of boosting the price in the common interest of the succession, and several of said slaves were adjudicated to them at exceptionally high prices, for the reason that it was in time of war, and in the belief that, the subsequent sales of real estate situated in the city, and of the

plantation, would likewise bring high prices in proportion;

That petitioners were deceived in their expectation on account of reports of peace, which news, during the period of about five weeks, between the sale of the aforesaid negroes and the sale of the immovable property, radically changed the business situation, and created a disproportion of prices between the two sales; so that in the first one some negroes brought 25,500 livres, and some negresses 21,000 livres; while the plantation, well equipped and measuring fourteen arpents, was adjudicated for 26,250 livres, and the property in town, a lot of ground and a residence thereon, was purchased for 31,250 livres;

That the said difference of prices is excessive, since the plantation is worth more than a dozen negroes, the value of which, before and in the beginning of the war, ranged between 2000 and 2500 livres, while at the same time the land was worth 2000 livres per arpent;

That said difference was quite prejudicial to the petitioners, one of whom, Noel, paid 40,000 livres for two negroes, and finds himself indebted in the sum of about 9000 livres to the succession, since the portion coming to each heir is repre-

sented by the sum of about 31,000 livres; and likewise is the condition of the other two petitioners, Mathurin and Francois;

That Joseph Carriere, their brother and their Curator, not only did not watch over the petitioners' interest as his duty required him to do, but was the cause of their loss, since he was present at the said sale and should have prevented them from making such foolish bids, as he, in his capacity of Curator, had the authority to do so. But he did not care; he could see that by allowing the petitioners to make such high bids, they would have reduced their share in the estate to very little, with a corresponding increase in his own portion; and in fact he did not buy anything, and he should have helped his younger brothers with his advice and should have refrained from taking advantage of their inexperience.

Petitioners understand that their three sisters, who did not purchase any of the succession property, and likewise their elder brother, will say that they did not deceive the petitioners; that everything was executed in a legal manner; that nobody encouraged petitioners in their extravagant bids. To which petitioners will answer that they could not forsee the peace news, which caused the great difference in the two sales; and that, if conditions had not changed, petitioners would not be complaining, as the real estate sale would have brought not less than 300,000 livres, and therefore the partition would have been just and equitable; but, as things stand now, petitioners' complaint is legitimate and justified, since four of the ten heirs will obtain, we do not say, the whole estate, but even something more, because some among the remaining six will get something less than nothing.

All this considered, petitioners pray that it may please Your Excellencies to order that an appraisal be made by some expert of the present value of the aforesaid negroes adjudicated to petitioners on the basis of the sale price of the immovable property of the succession, for the purpose of effecting a lawful and equitable partition; and in the meantime to order also the suspension of the sequestration of their slaves, until settlement. And justice will be done.

New Orleans, June 4, 1763. (Signed): Noel Carriere; Mathurin Carriere; François Carriere.

June 6.

No. 8395. 3 pp.

Marriage Contract between Jean Louis Zeringue and Marie Francoise Hubert Bellaire La Croix. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Jean Louis Zeringue, native of this city, parish of St. Louis, minor son of the late Sieur Michel Zeringue, in his lifetime inhabitant of this colony, and of Madame Barbe Krerterin, who acted and stipulated for her minor son; and Demoiselle Marie Francoise Hubert Bellaire La Croix,

also native of this parish of St. Louis, daughter of the late Sieur Daniel Hubert Bellair La Croix, in his lifetime officer of the Militia, and of Madame Catherine Henry, who also appeared and acted and stipulated for her minor daughter.

Sieur Zeringue assisted by said Madame Barbe Krerterin, his mother; by Sieur Louis Harang, his step-father and tutor; by Sieur Laurant Bailly, master tailor of this city, his brotherin-law; and by Sieur Claude Triere, a resident of this colony, his friend. Demoiselle La Croix assisted by Sieur Joseph Zeringue, her brother-in-law, inhabitant of this colony; by Madame Agathe Hubert La Croix, her sister; and by Sieur Antoine Gilbert Maxant, merchant of this city, her friend.

Done and passed in the Notarial Office of this city on June 6, 1763, at four o'clock in the afternoon, in the presence of Sieurs Marin Pierre Bary and Joseph Becat, competent witnesses.

(Signed): Jean Louis Zeringue; Louis Haran; Marie Francoise Huber; Widow Hubert; Joseph Zeringue; Triere; Agathe Hubert; Maxent; Bary; Jh. Becat; Garic, Notary.

Madame Barbe Krerterin and Laurent Bailly declared that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 6.

No. 8396. 1 p.

Procuration by
Jean Jacques
Corail to Louis
Viviat for the purpose
of suing Antoine
Olivier for a sum of
money claimed by
Corail.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Jean Jacques Corail, commander of the vessel "Le Telemaque", who is about to sail for St. Domingo and who, by these presents, confessed and acknowledged that he constituted as his special attorney at litem, Sieur Louis Viviat, merchant of this city, to whom he granted authority and power to sue Sieur Olivier, merchant of this city,

former partner of the said appearer in the expedition of the brigantine "Le Francmacon", and to obtain from said Sr. Olivier an account of the funds he received from Sieur Braquier, and to recover said funds, to file petitions before the Courts, to obtain judgments, to file oppositions, to appeal, to adopt domicile, to compromise, to grant releases, to contest the appeal lodged by Sr. Olivier with the King's Privy Council, to institute all necessary proceedings, to make seizures of both movable and immovable property, to sue Sieur Duplanty as surety of Sr. Olivier. In a word, the appearer empowered the said attorney to do all that is to be done in such a case, and promised to approve and ratify all that will be executed by virtue thereof.

Passed in the Notarial Office of this city on June 6, 1763, in the presence of Sieurs Marin Lenormand and Pierre Bary, witnesses, residing here.

(Signed): J. J. Corail; Lenormand; Bary; Garic, Notary.

(Signed, in margin): Devergés; De Reggio; Ducros.

June 6.

No. 8397. 4 pp.

Marriage Contract between Nicolas Lauve and Catherine Pierre Couilleret. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Nicolas Lauve, widower by first marriage of Elizabeth Rachal, cordwainer of this city, native of this city, parish of St. Louis, of age and enjoying his full rights, son of the late Antoine Lauve and of the late Marie Francoise Joumart, on

one side; and Demoiselle Catherine Pierre Couilleret, native of this city, minor daughter of the late Pierre Couilleret and of Catherine Laurandine, who acted and stipulated for her minor daughter, on the other side.

Sr. Lauve assisted by Sieur Jean Hisnard, shipmaster and merchant of this city, his brother-in-law; and by Sieur Nicolas Lambert, merchant of this city, his friend. Demoiselle Couilleret assisted by Sieur Henry Roche, shoemaker of this city, her step-father; and by Sieur Antoine Catoire, merchant, her brother-in-law.

Passed in the Notarial Office of this city on June 6, 1763, in the afternoon, in the presence of Sieurs Marin Pierre Bary and Joseph Becat, competent witnesses.

(Signed): Catherine Pierre Coulret; Henry Roche; J. Hisnard; Catoir; Bary; Lambert; Garic, Notary.

Nicolas Lauve and Madame Catherine Laurandine declared that they could neither write nor sign.

Donation in the above marriage contract ordered recorded in the Registry.

July 9, 1763.—Considering the donation set forth in the marriage contract passed before Master Garic, Royal Notary, on June 6, 1763, between Nicolas Lauve and Catherine Pierre Couilleret,

which contract was read at the session of the Council; and having heard the conclusions of the Procureur General of the King, the Council ordered and does order that the said donation be recorded in the Register of Insinuations in the Registry of the Council so that it may obtain its full and complete effect.

Given in the Council chamber on July 9, 1763. (Signed): Dabbadie.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 6.

No. 8398, 1 p.

Procuration by Jean Tuon Marin to Jean Guichard. Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the hereinafter mentioned and undersigned witnesses, personally appeared Sieur Jean Tuon Marin, who acknowledged and admitted that he constituted as his special attorney, Sieur Jean Guichard, shipmaster of the vessel "Le

St. Antoine", who is about to sail for St. Domingo, to whom appearer granted power to act in his name and stead and to obtain an account from Sieur Boucher, Sheriff of the Jurisdiction of Trou Jeremie, of all funds remitted to him and arising from the prize made by the privateer "Le St. Jean Baptiste" fitted out by said appearer together with Sieurs Bois Gerard and Dugué, all three being in partnership, which funds are specified in the promissory notes given to said Sr. Boucher for collection. The constituted attorney was also authorized to grant receipts for all sums paid to him, and to claim and recover the unpaid promissory notes; to sue and obtain final judgments and to execute same against all possessors of funds already collected, as well as against debtors; to compel them to make payments by all lawful means and also by seizures of both movable and immovable property; to appeal, to take up domicile; to appoint attorneys and to revoke them, and to do all that appearer himself might and could do if he was there in person; and said appearer promised to approve and ratify, and by these presents does approve and ratify, all that will be performed by his said attorney.

Passed in the Notarial Office of this city, on June 6, 1763, in the presence of Sieurs Joseph Becat and Pierre Gauvin, duly qualified witnesses, residing in this city.

(Signed): J. Tuon; Jh. Becat; P. Gauvain; Garic, Notary. (Signed, in margin): Devergés; De Reggio; Ducros.

June 8.

No. 8399. 2 pp.

Procuration in blank by Marie Therese Drillant, as tutrix of her three minor children by her first husband, Francois Julien Gallot, for the management of her and the minors' affairs in France. Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Madame Marie Therese Drillant, widow by first marriage of Sieur Francois Julien Gallot, former employee in the King's Offices, in her own name and as tutrix of Demoiselle Charlotte Gallot, soon to be twenty-five years old; of Marie Francoise Gallot, twenty-three years of age; and of Louis Francois Gallot, fifteen years old: all three being the minor children of said appearer and of her said first husband; which appearer, a resident

of this city, made and constituted as their general and special

attorneys... (blank here, for insertion of names)..., to whom conjointly, and separately to each one of them, she granted full authority and power to direct, manage and administer all the business matters that she and the aforesaid minors have in France; to receive from debtors all funds due for whatever reason or titles, as principal, interest and expenses, and to grant receipts; to do all that appearer herself could and might do if she were over there, etc.; promising to approve and ratify all that will be executed by the said attorneys by virtue of these presents, which shall be valid until expressly revoked.

Done and passed in the Notarial Office of this city on June 8, 1763, in the presence of Sieurs Marin Lenormand and Pierre Bary, duly qualified witnesses.

(Signed): Marie Therese Drilland; Lenormand; Bary; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 12.

No. 8401. 2 pp.

Mortgage granted by Laurent Lerable and wife to Larrivé for 2500 silver piastres. This Day, June 12, 1763, before the undersigned Counselor-at-law and Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the hereinafter named and undersigned witnesses, appeared Sieur Laurens Lerable, inhabitant of this colony, and Madame Jeanne Asselein, his wife, duly authorized by him to act herein, who acknowledged and admitted to have this day received from

Sieur Larrivé, merchant of this city, the sum of 2500 silver piastres, currency of Spain, which were presently counted by Sr. Arrivé, who made the present loan without interest and as a matter of friendly accommodation; which sum the said Sieur and Madame Lerable conjointly obligated themselves to pay back and restore to Sieur Larrivé within three years from date, and offered as security a mortgage on all their property, present and future, and in particular on their residence situated at the corner of Royal and St. Ann streets, where all acts required for the execution of these presents shall be served.

Done and passed in the Notarial Office of this city, on said day, month and year. Witnesses: Sieurs Marin Lenormand and Pierre Bary.

(Signed): P're Arrivé; Laurent Lerable; Jeanne Assliens; Bary; Lenormand; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 13.

No. 8402. 2 pp.

Sale of a negress and her three-yearold son by Emilan Daubard to Francois Briant, for 3500 livres. In the Notarial Office appeared Sieur Emilan Daubard, residing in this city, who admitted and acknowledged, by these presents, to have this day sold, conveyed, transferred and abandoned, from now and forever, with warranty against all troubles and impediments, to Sieur Francois Briant, also a resident of this city, who also appeared and signified his acceptance in his own behalf and for his heirs and as-

signs, one female slave, named Jeanneton, about thirty years old, together with her child named Pierre, about three years old; the said sale being made for the price of 3500 livres, which said vendor acknowledged having received in cash from Sr. Briant, who is hereby acquitted and discharged by Sr. Daubard, who promised to have him also released towards and against whomsoever else it may concern. Wherefore the said purchaser remained the free and lawful possessor of said female slave and of her child, with authority to dispose of them as he sees fit.

Executed before the Royal Notary on June 13, 1763, in the morning, in the presence of Sieurs Marin Pierre Bary and Louis Champion, duly qualified witnesses.

(Signed): Briant; Champion; Bary; Garic, Notary.

Daubard's signature is missing, and no explanation given.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 13.

No. 8403. 4 pp.

Mortgage by Francois Broutin, to Francois Briant, acting as tutor and in behalf of the Adam minors, for 16,286 livres. Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the undersigned witnesses, appeared Sieur Francois Broutin, who admitted and acknowledged, by these presents, to have received this day from Sieur Francois Briant, inhabitant of this city, the sum of 16,286 livres, in colonial currency, which sum Sr. Broutin promised and obligated himself to pay back within

one year from date, together with the interest at the rate of five per cent, in conformity with the Royal decree; and as security he granted a mortgage on all his movable and immovable, present and future property, taking up his domicile in this city, where he consented that all acts required and necessary for the execution of these presents be passed and served.

Done in the Notarial Office of this city on June 13, 1763, in the presence of Sieurs Marin Lenormand and Marin Pierre

Bary, competent witnesses, who signed together with the contracting parties and the Notary, after the reading of the whole.

(Signed): Bary; Broutin; Briant; Lenormand; Garic, Notary.

Louis Boisdoré offers himself as surety for the above loan. June 13, 1763.—Before the undersigned Notary also appeared Sieur Louis Boisdoré, who, after having taken cognizance of the above mortgage, voluntarily

offered himself as surety for the said Sieur Broutin for the said sum of 16,286 livres; and he promised and obligated himself that, in default of payment of said sum by Sieur Broutin, when said payment falls due, he shall make the said payment to Sieur Briant, in security whereof he granted a mortgage on all his property, movable and immovable, present and future, which was accepted by Sr. Briant.

Passed in the Notarial Office of this city, on the day, month and year above stated, in the presence of Sieurs Marin Lenormand and Marin Pierre Bary, duly qualified witnesses, who signed together with the contracting parties and the Notary, after the reading of the whole.

(Signed): L. Boisdoré; Briant; Lenormand; Bary; Garic, Notary.

Francois Briant's release to Francois Broutin and his surety. November 18, 1765.—On November 18, 1765, in the morning, before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur

Francois Briant, tutor of the Adam minors, residing in this city, who voluntarily acknowledged and confessed to have received in cash from Sieur Francois Broutin, also a resident of this city, the sum of 16,286 livres, in colonial notes, as well as the interest due up to date, and also the expenses incidental to the act of mortgage passed between said Sr. Broutin and Sr. Briant, the latter acting in behalf of the said minors; for which sum Sr. Briant discharged Sr. Broutin as well as his surety, and promised to have them released also towards whomever else it may concern.

Done and passed in the Notarial Office of this city, on said day, month and year, in the presence of Sieurs Joseph Guesnard, master glazier, and Gauvain, competent witnesses.

(Signed): Briant; Broutin; Guesnard; Gauvain, witness. Signature of Notary is missing.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 14.

No. 8404. 1 p.

Act of mortgage by Pierre Charpentier to Jean Ducros for 4225 livres. On June 14, 1763, in the afternoon, before the undersigned Notary, appeared Sieur Pierre Charpentier, a resident of this city, who acknowledged and confessed that he was indebted to Sieur Jean Ducros, Master Surgeon, in the sum of 4225 livres, which he promised to repay and reimburse within one year from date, at the latest, or sooner if possible; and as se-

curity for same said Sr. Charpentier granted a mortgage on all his property, present and future, and especially on his residence situated on Toulouse Street, where he consented that all acts required for the fulfillment of these presents be served on him.

Passed in the Notarial Office of this city in the presence of Sieurs Pierre Bary and Antoine Marmilleaux, competent witnesses.

(Signed): Pierre Charpentie; Jean Ducros; Bary; Marmillion; Garic, Notary.

(Signed, in margin): Devergés; De Reggio; Ducros.

June 15.

No. 8405. 7 pp.

Partition of the assets belonging to the succession of Pierre Saunier called Languedoc.

On June 15, 1763, in the morning, before the undersigned Counselor-at-law and Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of Messire Louis Piot Delaunay, Councillor of the Superior Council, appointed Commissioner in this case, and of Messire Charles Marie De la Lande D'Apremont, Councillor also of said Council, acting

Procureur General of the King, personally appeared Marie Louise Dormoy, widow by first marriage of the late Pierre Saunier called Languedoc, in her own name and as tutrix of her minor children, Louise and Victor Saunier, issue of her marriage to the late Saunier called Languedoc, and as former administratrix of their property; and also appeared Sieur Claude Cyprien Boby, as husband of the said Louise Saunier and as tutor by selection of a family meeting, the deliberations of which were homologated by the Council; which appearers, with the intention of complying with the order of the Council of the 4th of the current month, have proceeded to a provisional partition of the assets of the community which existed between the said Madame Marie Louise Dormoy and the said late Pierre Saunier called Languedoc; and, after Madame Dormoy shall have rendered her account as administratrix and tutrix, and after said account shall have been examined and formally closed and settled, a final partition shall be made. And in order to arrive at the aforesaid provisional partition with accuracy and exactness, the proceeds of the movable and immovable property were set forth as follows:

| First: proceeds of sale of the movable property, according to process-verbal of the judicial sale of September 14, 1762, amount to the sum of 8027 livres: |
|---|
| Item: the proceeds of sale of a city lot plus one-fourth of an additional lot, together with buildings thereon, situated on Royal Street, according to the proces-verbal of September 28, 1762, amount to the sum of 23,000 livres: |
| Item: the proceeds of sale of three-fourths of a lot situated at the corner of Royal and Ursuline streets, according to the proces-verbal of September 28, 1762, amount to the sum of 12,550 livres:12550 |
| Item: the proceeds of the sale of one lot of ground situated on Ursuline Street, according to the process-verbal of September 28, 1762, amount to the sum of 7300 livres: |
| Giving total proceeds of 50,877 livres:50877 |
| From which are to be deducted: |
| The sum of 2543 livres and 17 sols for fee of collection of said proceeds and deposit of same: 2543- 17 |
| Expenses, as per annexed statement, approved by the Commissioner, amounting to the sum of 395 livres: 395 |
| For the present act of partition, copies of documents, and fees to judges, the sum of 300 livres: |
| Making a total disbursement of 3238 livres and 17 sols: 3238-17- |
| Leaving a net balance of 47,638 livres and 3 sols: 47638- 3- |
| Which sum is to be divided among the interested parties according to their respective capacity. |

Therefore, the said Madame Louise Dormoy shall be given first the sum of 325 livres which she acquired from the successions of the late Sieur Dormoy and of the late Madame Marie Louise Catto, her father and mother, said sum having been collected by the aforesaid late Saunier, her first husband, and which is now remitted to Madame Dormoy; consequently there will remain of the said community the sum of 47,313 livres and 3 sols, of which said Madame Dormoy shall receive one-half, on account of the community between her and her first husband, the said Saunier called Languedoc, that is, the sum of 23,656 livres, 11 sols and 10 deniers; and a like sum of 23,656, 11, 10 is due to the two aforesaid children, to be divided in equal portions between them.

And, since Madam Dormoy has claimed against her husband's property the return of her dower, granted her by the Custom (of Paris) in default of marriage contract, one-third of the property of said late Saunier called Languedoc, amounting to the sum of 7885 livres, 10 sols and 6 deniers, was allowed to said Madame Dormoy, who will only enjoy the revenue of same, during her life, while the said two minors remain the lawful owners of said sum, said Sieur Boby, tutor, and Sieur Philiosa, under-tutor of said minors, consenting thereto; and the parties have agreed that said sum of 7885 livres, 10 sols and 6 deniers shall be remitted to Sieur Broutin, who took charge of same and promised to pay to said Madame Dormoy, during her life, the annual interest, at the rate of five per cent, according to the King's decree; and afterwards to remit the principal to the said minors, if they shall have attained their full age, or to their tutor; and this was voluntarily accepted by Sieur Broutin, who, as security for said sum, granted a mortgage on all his property, movable and immovable, present and future, taking up, for this purpose, his domicile in his residence in this city.

And the whole of the foregoing was executed with the consent of Sieur De La Lande Dapremont, acting Procureur General of the King.

There remains therefore for the said minors, as the share coming to them from the said succession of the late Sieur Saunier called Languedoc, their father, the sum of 15,771 livres and one sol, so that each of the said minors shall receive, for his portion, the sum of 7885 livres, 10 sols and 6 deniers, which amounts were remitted to Sieur Boby, both in his capacity of husband of Louise Saunier, and as tutor of Victor Saunier.

And, in reference to the share coming to said minor, Victor Saunier, the said tutor, Sr. Boby, promised and bound himself to invest same, as soon as possible, with the consent of the Procureur General of the King, and to said minor's best advantage, so that its annual revenue might be used for the maintenance and the education of the minor, the revenue to be annually remitted to Madame Dormoy, who has custody of her minor son, and the principal to be preserved.

The present partition being only provisional, said Madame Dormoy, in compliance with the Council's order of the 4th instant, deposited in the Notary's hands the sum of 2000 livres, pending the filing of her account as administratrix, which account shall be examined, debated, closed and approved by the Council.

By virtue of the present partition the aforenamed parties, in their respective capacities as above stated, acquitted and discharged the Clerk of the Superior Council and acknowledged to have received from him the amounts above specified.

Done and passed in the Notarial Office of this city, on the aforesaid day, month and year, in the presence of Sieurs Marin Le Normand and Marin Pierre Bary, duly qualified witnesses, residing here.

(Signed): Boby; Broutin; Philiosa; Lenormand; Bary; Delalande; Delaunay; Garic, Notary.

Madame Louise Dormoy declared that she could neither write nor sign.

Document annexed to the above.

June 15, 1763.—Memorandum of Court costs relating to the sale of movable property of the succession of late Sieur Saunier called Languedoc, viz:

Appointment of Tutor and Under-Tutor:

| To the Councillor Commissioner: for fee: | | |
|--|----|-----|
| To the Clerk: do. do | 25 | do. |
| To the Sheriff: for serving documents: | 15 | do. |

Sale of movable property made on two occasions:

| 50 | do. |
|----|-----|
| 50 | 4. |
| | do. |
| 10 | do. |
| 15 | do. |
| 30 | |
| | 5 |

Total:.....395 do

The present memorandum of Court costs, amounting to the sum of 395 livres, was read and approved by the Councillor Commissioner in this case. New Orleans, June 15, 1763. (Signed): De Launay.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

The document is in perfect state of preservation, and the writing is elegant and clear.

June 15.

7 pp.

Copy of the preceding document.

June 18.

No. 8407. 3 pp.

Marriage Contract between Jean Antoine Piat and Francoise Le Roy. This is a copy, certified by Garic, Royal Notary, of the foregoing act of partition of the succession of the late Pierre Saunier called Languedoc. The statement concerning the judicial costs is omitted in the copy. (Signed): Garic, Notary.

The document is well written and well preserved, despite being somewhat stained by water.

Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Jean Antoine Piat, native of Versailles, legitimate son of Sieur Antoine Piat and of Madame Hélène Redy, on one side; and Dame Francoise Le Roy, widow by first marriage of late Sr. Francois Jourdain, native of this city, legitimate daugh-

ter of the late Sieur Pierre Le Roy called Ferrand, and of Madame Claudine Grizon, on the other side.

Sieur Piat was assisted by Sieur Barthelemy Gaillardy, merchant of this city, and by Sieur Claude Renaudin, wigmaker, his friends, for want of relatives. Madame Francoise Le Roy was assisted by Madame Claudine Grizon, her mother; by Sieur Thomas Sollet; and by Sieur Michel St. Eloy.

Passed in the Notarial Office of this city on June 18, 1763, in the afternoon, in the presence of Sieurs Joseph Becat and Pierre Bary, competent witnesses.

(Signed): Françoise Leroy; Jan Entoine Piat; Jh. Becat; Bary; B. Gaillardy; Th. Saulet; Renaudin; Saint Eloy; Kerlérec; Garic, Notary.

Madame Grizon declared that she could neither write nor sign.

Donation in above marriage contract ordered recorded in the Registry. July 9, 1763.—Between Sieur Antoine Piat and Dame Franciose Le Roy, his wife:

Considering the donation set forth in the foregoing marriage contract, passed before Master Garic, Royal Notary of this province, between the petitioners, which act was read during the session of the Superior Council; and, having read the conclusions of the Procureur General of the King, the Council ordered and does order that the said donation be recorded in the Register of Insinuations in the Registry of the Council, so that it may obtain its full and complete effect.

Given in the Council-chamber, on July 9, 1763. (Signed): Dabbadie.

Certificate of recordation of above donation.

July 9, 1763.—Recorded on the Register of Insinuations in the Registry of the Superior Council of Louisiana by the Clerk of said Council, on July 9, 1763, at

folio 88. (Clerk's signature missing.)

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 18.

No. 8406. 1 p.

Life-annuity contract by Jean Antoine Plat and Francoise Le Roy in behalf of Claudine Grizon, mother of the latter. This Day, June 18, 1763, in the afternoon, in the presence of the hereinafter named and undersigned witnesses, and before the Counselor-at-law and Royal Notary of the Province of Louisiana, personally appeared Sieur Jean Antoine Piat and Madame Francoise Le Roy called Ferrand, who are on the point of being married and who, with the intention of avoiding all lawsuits, litigation and disputes that might arise between them and Madame

Claudine Grizon, mother of said Madame Francoise Le Roy, have promised and do hereby promise to pay to said Madame Grizon annually and during her life the sum of 1000 livres, in two installments, in security whereof the said appearers granted a mortgage on all their property present and future; and said Madame Grizon, who also appeared, signified her acceptance and renounced all her claims and pretensions that she might have in the community with her husband, the late Sieur Pierre Le Roy called Ferrand, as well as all claims that might accrue in her favor hereafter from successions, legacies, donations or from whatever other source without reservation.

Done and passed in the Notarial Office of this city in the presence of Sieurs Thomas Sollet and Claude Renaudin, witnesses.

(Signed): Jan Entoine Piat; Francoise Leroy; Th. Saulet; Renaudin; Garic, Notary.

Madame Claudine Grizon declared that she could neither write nor sign.

(Signed, in margin): Devergés; De Reggio; Ducros.

June 21.

No. 8408. 1 p.

Procuration by Christophe Chateau to Ursain Jarraut for looking after his financial affairs. Before the undersigned Counselor-at-law and Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Christophe Chateau, merchant of this city, who, by these presents, acknowledged and confessed to have appointed and constituted as his general and special attorney, Sieur Ursain Jarraut, master of the vessel "La Société" of Bordeaux, to whom he granted authority and power

to act in his name and stead for the purpose of suing Sieur Lapeyre, merchant, wherever found and before any Court, in order to secure payment of the sum of 1000 livres, interest, costs and expenses, as set forth in the judgment rendered by the Royal Judge of St. Marc (St. Domingo), on January 27, 1755, and according to the draft attached to the record drawn up by the said Sieur Lapeyre upon Mr. Gachinard, Sr., and duly protested; the aforesaid attorney is to continue said prosecution to complete satisfaction, and to accomplish this, he is authorized to appoint an attorney ad litem with power of revocation, to take up domicile, to plead, to file opposition, to appeal, to acquiesce, to dismiss seizures and cancel judgments, to sell property under seizure, to assent to, to negotiate, to compromise, to grant delays, to remit, to arbitrate, to grant acquittals and discharges; and in general to do, as circumstances direct, all that said attorney will deem convenient, as the appearer himself could do if he were present, even in unforeseen cases and when a more special power than the one set forth in these presents would be required; this power of attorney to be valid and to have effect until express revocation. And the said appearer promised to approve and ratify all that will be done by said attorney.

Passed in the Notarial Office of this city, on June 21, 1763, in the presence of Sieurs Joseph Becat and Pierre Bary, duly qualified witnesses.

(Signed): Chateau Lene; Jh. Becat; Bary; Garic, Notary. (Signed, in margin): Devergés; De Reggio; Ducros.

June 21.

No. 8409. 2 pp.

Procuration by Joseph Becat to Bunel, of Cap Francais, St. Domingo, for settling some business affair. and before whatever Court it might be necessary to appear, in order to obtain payment for a gold watch delivered to him (the unnamed person) for sale, as per acknowledgment given in the letter of, addressed by him to Sieur Olivier, stating that he had sold said gold watch for the price of 400 livres; and the said attorney is urged to continue the said prosecution by all lawful means until complete satisfaction; and to do all that might be required and that could and might be done by the appearer himself, who approved and ratified in advance all that will be executed by his constituted attorney.

Passed in the Notarial Office of this city on June 21, 1763, in the presence of Sieurs Pierre Bary and Pierre Gauvain, duly qualified witnesses.

(Signed): Jh. Becat; P. Gauvain; Bary; Garic, Notary. (Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 23.

No. 8410. 6 pp.

Award in the arbitration between Guichard, acting for Louis Catary of Port-au-Prince, and Gerome Matutich, rendered by Caresse and Caminade, in matter of profits from operation of a privateer.

(This document reveals an interesting story of privateering enterprise in the Gulf of Mexico and the Caribbean Sea in the latter part of the Seven Years' War, and illustrates the lucrativeness of that business, with the aid of good luck and the necessary skill and daring courage.)

Summary of Accounts between Sieur Guichard, acting under power of attorney of Sieur Louis Catary of Port-au-Prince, owner of the privateer named "Le St. Antoine", and Sieur Gerome Matutich, commander of said privateer, to-wit:

Sieur Matutich, a few days after he sailed from Port-au-Prince, captured an English prize, which he took to La Trinité Espagnolle; and with the proceeds of same he bought another vessel, a schooner, for account of the parties interested in the said privateer and of some merchants of La Trinité, which purchase, according to the statement presented to the arbitrators, amounted to the sum of 3817 piastres:........3817 piastres

And in which purchase Sieur Louis Catary's interest, according to exact calculation, is represented by the sum of 1525 piastres:....1525 piastres

And the interest of the said merchants of La Trinité amounts to the sum of 2292 piastres:..2292 piastres

3817 piastres

Said Sieur Gerome, having gone to sea with the said privateer and the said schooner, was forced by a storm to sink the privateer; and, continuing his cruise with the schooner, he captured an English dogger-boat named "La Jamaique", the cargo of which was productive of the following profits:

- (a)—From procès-verbal of sale:
 340972- livres

 (b)—Plus one hogshead of rum:
 3100- do.

 (c)—Plus one slave:
 2000- do.

 Total:
 346072- do.
- And from sale of said dogger to Sieur

 Maxent: 16600- do.

| To be deducted: Paid for commission at rate of 5%: | 18133– | do. |
|---|---------------------------------|------------------|
| And for general expenses: | 344539- 19098- | do. do. |
| Net proceeds from the prize "La Jamaique": | 325441- | do. |
| Therefore the half share (fifty per cent coming to the owners is represented by the sur of 162,720 livres: | m | _ |
| Sieur Gerome having sailed from New C two prizes; and their cargoes brought the foll First prize: vessel named "Le Pros": according to procès-verbal of sale, proceeds amounted to the sum of: | Orleans cap | otured ceeds: |
| Second prize: vessel named "Le Provok": according to procès-verbal of sale, proceeds amounted to:42685 – Sale of vessel:24000 – | | |
| Total: | 120596- | ivres |
| Deductions: To Sieur Blache, for 5% commission: | 6029–16– | livres |
| For general expenses, according to detailed statement: | 14566– 4–1 17774– <i>–</i> 1 | |
| Net proceeds from the two prizes: | 96791 | ivres |
| Fifty per cent of said net proceeds claimed by the owners amounts to the sum of 48,395 livres: | 48395— — 62720— — | |
| Giving a total of 211,115 livres:2 | 11115 | |
| The aforesaid schooner was dismantled and was sold for:11200 Her rigging, sails, guns, tackle, utensils, etc., sold separately for:28527 | | |
| Total: 39727 | | |

| Less commission of 5%: 1986 - 7 | editions. | |
|--|----------------------|---------------|
| Net proceeds: | . 37740- .211112- | livres do. |
| The total will be: | t - | |
| There will remain the sum of 205,756 livres: | | do. |
| to be divided among the interested parties. | | |
| Therefore: Sieur Catary's interest amounts to the sum of: And the share due to the other interested | . 82205- | do. |
| parties amounts to the sum of: | | do. |
| n 1845 - English (1845) (1845) - 1845) - 1845 - 1845) (1845) (1845) (1845) (1845) (1845) (1845) (1845) (1845) Bull Bull Bull Bull Bull Bull Bull Bull | 205756- | do. |
| From the share due to Sr. Catary of: | | do. |
| must be deducted the sum, already paid by Sr. Gerome, as per Sr. Guichar's receipt, of: | | do. |
| And there remains a balance of: | 30432- | do. |

The statement of accounts hereinabove presented shows that Sieur Gerome owes to said Sieur Guichar the sum of 30,432 livres.

No mention is made here of the sale executed at Campeche, in silver piastres, nor of the expenses, also in silver piastres, occasioned by said calling at said port of Campeche, because the interested parties have agreed to settle amicably these two particular matters.

At New Orleans, June 23, 1763. (Signed): D. Caresse; Caminade.

The undersigned arbitrators appointed by the Superior Council of the Province of Louisiana for the purpose of settling the dispute between Sieur Guichar, acting under procuration of Sieur Louis Catary of Port-au-Prince, owner of the privateer "Le St. Antoine", on one side, and Sieur Gerome Matutich, captain of the said privateer, on the other side, after having perused and examined the documents, papers and statements submitted by the interested parties, and after having heard the arguments of said parties, the said arbitrators found that Sieur Gerome Matutich is indebted to Sieur Catary, or to his attorney, in full settlement of accounts, in the sum of 30,432

livres, according to the detailed statement herewith annexed; which sum, in the opinion of the said arbitrators, said Sieur Gerome Matutich is under obligation to remit and pay to said Sieur Guichar.

It is the arbitrators' opinion that said Sr. Gerome Matutich has a right to demand and obtain of said Sieur Guichar a good and valid surety for the sum of 20,551 livres and 5 sols for one-fourth interest that Sr. Matutich has claimed to have in the first fitting out and cruise of the aforementioned privateer; because, although Sr. Matutich has no documents to prove his claim, since Sieur Catary does not know how to write and Sr. Matutich can hardly sign his name, they might have omitted a formality which they did not consider necessary with respect to the operation of a small vessel which seldom sailed out of sight of land and the whereabouts of which are known in a day or so.

The arbitrators are also of opinion that Sieur Gerome Matutich is under obligation to prove, within one year from date, that he is entitled to the said one-fourth interest claimed in the aforesaid first expedition of the privateer "Le St. Antoine"; in default whereof the said Sieur Guichar and his surety shall be duly and lawfully discharged.

At New Orleans, June 23, 1763. (Signed): D. Caresse; Caminade.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

The document is very well preserved, and the penmanship clear.

June 25.

No. 8411. 2 pp.

Declaration by
Antoine Manier
and his wife,
relative to ownership
of cattle by their
two sons-in-law, for
the purpose of avoiding
dispute and litigation
in event of death of
Madame Christine de
Lery, who is very ill.

(This is a rare type of document, showing prudence, foresight and wisdom.) This Day, June 25, 1763, in the afternoon, at the request of Antoine Manier and Christine Lery, his wife, the Royal Notary of the Province of Louisiana, in consideration of said Madame Christine de Lery being very ill, repaired to the residence of Mr. Champion, sail-maker in active service, where the said parties are living, who declared to the undersigned Royal Notary that Francois Martin, their son-in-law, had remained with them for the period of five years and had helped them out in working the plantation; and as a recompense for his care they gave him two cows which, since the transfer was made, have had seven calves, so that

there are now nine horned cattle, which were marked with the mark of said Francois Martin; wherefore the said appearers acknowledged that said cattle duly and lawfully

belonged to said Francois Martin, having been given to him in lieu of salary, besides sixteen other horned cattle, which were given him by marriage contract, as an advance against his inheritance, therefore only the aforesaid sixteen horned cattle are subject to collation. The said appearers further stated, acknowledged and confessed that Sieur Jean Denais, their son-in-law, is the lawful owner of six horned cattle marked with his own mark, said cattle representing the fruit of his savings and having been bought by him with his own money; and the said appearers stated that the present declaration is made in order to avoid all dispute and litigation that might arise in consequence of the death of either one of them, because the said cattle are all mingled together. Therefore the aforenamed Francois Martin and Jean Denais shall be allowed to recover and take back their respective cattle, whenever they desire to do so; and of the entire declaration appearers requested an official certificate, which was granted to them.

Done and passed at the residence hereinabove specified, in the presence of Sieurs Pierre Bary and Joseph Becat, competent witnesses.

(Signed): Antoine Manier; Bary; Jh. Becat; Garic, Notary.

Christine de Lery, Francois Martin and Jean Denais declared that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 27.

No. 8412. 4 pp.

Marriage Contract between Hely Gineau and Margueritte Negrier. Marriage Contract executed before the Counselor-at-law and Public Notary of the Province of Louisiana, residing in New Orleans, between Sieur Hely Gineau, native of Bordeaux, parish of St. Surin, of age and enjoying his full rights, son of the late Arnaud Gineau and of Marie Lamarche, on one side; and Demoiselle Margueritte Negrier, native of this city,

parish of St. Louis, minor daughter of Sieur Antoine Negrier and of Madame Magdeleine Rogé, her father and mother, who acted and stipulated for their minor daughter, on the other side.

Sieur Gineau was assisted by Sieur Gille Hubert and by Sr. Simon Laurent, both residents of this city, his friends, for want of relatives. Demoiselle Negrier was assisted by Sieur Claude Renaud called Avignon, merchant, and by Sr. Nicolas Ducret called Belhumeur, inhabitant of this city, her friends, for want of relatives.

Done and passed in the Notarial Office of this city on June 27, 1763, in the morning, in the presence of Sieurs Marin Pierre Bary and Joseph Becat, competent witnesses, residing in this city.

(Signed): Avignon; Bary; Gille Hubert; Jh. Becat; Garic, Notary.

Hely Gineau, Marguerite Negrier, Antoine Negrier, Megdeleine Roger, Simon Laurent and Nicolas Ducret called Belhumeur stated that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

June 27.

No. 8413. 1 p.

Procuration in blank by Alexandre de Latil, as tutor of the De Morand minors, and as husband of the late Madame de La Chaize, mother of said minors, giving authority to sue on a promissory note. Before the Counselor-at-law and Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the undersigned witnesses, personally appeared Monsieur Alexandre de Latil, in the name and as tutor of the minor children of the late Mr. Charles de Morand and of the late Madame Marie de La Chaize; and also as husband of the said late Madame Marie de La Chaize; which appearer, by these presents, acknowledged to have appointed and constituted as his special attorney the person of

chevalier de Bosricard, residing at Biville, the sum of 4000 livres, evidenced by his promissory note in favor of the said Sieur Charles de Morand, his brother, said note being dated October 18, 1752; and the constituted attorney is empowered to sue the said Sieur Jacques de Morand, his heirs and assigns, wherever they might be found and before whatsoever Court, in order to secure payment of the aforesaid amount, plus interest, costs and expenses; to use all lawful means, etc.; and appearer promised to approve and ratify all that will be executed by the constituted attorney, by virtue of these presents.

Done and passed in the Notarial Office of this city on June 27, 1763, in the morning, in the presence of Sieurs Marin Pierre Bary and Pierre Gauvin, competent witnesses.

(Signed): P. Gauvain; Latil; Bary; Garic, Notary.

(Signed, in margin): Devergés; De Reggio; Ducros.

June 27.

9 pp.

Petition to the Superior Council by Francois Xavier Dacoste (De Acosta), acting for Jean Christophe Carta, to obtain an accounting relative to a shipment of tallow, from the Vacant Estate of Argous.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Francois Xavier Dacoste, who is at present in this city and is acting under power of attorney of Sieur Jean Christophe Carta, humbly represents and prays:

That Sieur Manuel Martines shipped on the vessel belonging to Sieur Argous, and on consignment to said Sr. Argous, fourteen hundred and thirty-one pounds of tallow to be sold by him in this city to petitioner's best advantage, according

to invoice hereto annexed, and to Sieur Argous' acknowledgment of January 28, 1759, appearing beneath said invoice; that Sr. Argous sailed from this city to Jamaica where he was accidentally killed, and therefore he was not able to render any account of said tallow; that petitioner learned that the assets of the Argous succession are in the hands of Sieur Du Cros, Attorney for Vacant Estates.

And he requests that it may please Your Excellencies to allow petitioner, in his aforesaid capacity, to summon said Sr. Du Cros, in his capacity of Attorney for Vacant Estates, to appear before the Council, at its first session, and that judgment be rendered directing him to give an account of said fourteen hundred and thirty-one pounds of tallow, and to pay to the petitioner the proceeds of same, and thereby be duly and validly discharged; and in the event that the price paid for said tallow could not be proved by documentary evidence, to order that said price be established by experts, chosen by the interested parties, or appointed by the Court. And may justice be done.

New Orleans, June 27, 1763. (Signed): Frn. Xavier de Acosta.

June 27, 1763.—Permit to summon at the first session of the Council. New Orleans, June 27, 1763. (Signed): Foucault.

June 28, 1763.—On June 28, 1763, upon request of Sieur Francois Xavier De Coste, citation was served by the Sheriff of the Superior Council on Sieur du Cros, in his capacity of Attorney for Vacant Estates, to appear next Saturday, at nine o'clock in the morning in the chamber of the Council to answer the representations set forth in the above petition, and to submit to judgment rendered according to law. (Signed): Lenormand.

Documents annexed to above petition:
(a) Invoice in Spanish.

Two documents are annexed, to-wit:
One document is the invoice referred to
above, written in Spanish, regarding the
said tallow, shipped in six boxes. Dated

Campeche, January 28, 1759. (Signed): Joseph Manuel Martinez.

Then follows the acknowledgment dated also January 28, 1759, and referred to in the petition. (Signed): Diego Hargous.

(b) Translation from Spanish into French of the power of attorney of Martinez to Carta and substitution of procuration of Carta in behalf of De Acosta. The other document is the aforesaid power of attorney of Joseph Manuel Martinez to Jean Christophe Carta, dated November 15, 1762, executed at the Post of St. Francois of Campeche, before Jerome Eugene de Araux, Royal Notary,

and Alexander Duque de Estrade, Royal and Public Notary.

And there follows the substitution of procuration of Jean Christophe Carta in behalf of Sieur Francois Xavier de Acosta, dated February 23, 1763, which substitution was executed under private signature in New Orleans, and signed by Jean Christophe Carta.

The document in the file is the translation from Spanish into French of the above acts, by Garic on June 27, 1763. (Signed): Garic.

June 28.

4 pp.

Rivard vs. Marchant: Report to Court by Councillor Delaunay, the Commissioner appointed in the case. Report made to the Court by Mr. Louis Alexandre Piot Delaunay, Councillor of the Superior Council, appointed Commissioner by order of June 4th; said Report concerning the lawsuit of Jean Baptiste Rivard, wig-maker, plaintiff, against Marchand, also wig-maker, defendant; both residing in this city.

Having read the documents submitted

by said Rivard, claiming the lot of ground and the building thereon, which has been purchased by the late Antoine Reguis and Rose Morand, according to contract of sale of one Poisat, executed before Master Rossard, Notary, in New Orleans, on May 22, 1734;

2nd. The compromise made by Antoine Reguis, eldest son of the said late Antoine Reguis and of said late Rose Morand, concerning the sum of 742 livres, representing what was due him in the successions of his father and mother; this being in favor of Jean Baptiste Rivard, and passed in this city before Sieur Chantalou, Notary, on January 31, 1759;

3rd. Another compromise which cancelled the discharge of Francois Blain, in the name and as husband of Therese Re-

guis, concerning the sum of 741 livres and six sols, paid her in full settlement of her claims against the successions of her father and mother, the said late Antoine Reguis and Rose Morand, which payment was made by Louis Bernard, tutor; and which compromise was effected before Sieur Garique (Garic) on June 13, 1763;

4th. The receipt for 742 livres, that were paid to one Vitts, as tutor of the minor Antoine Reguis, son of the said late Antoine Reguis and Rose Morand, in settlement of what was due to the said minor from the successions of his father and mother; which sum was remitted to Louis Bernard, as husband of Elizabeth Stigrin, widow by first marriage of said Antoine Reguis; which receipt released the said Vitts from the tutorship and put the minor children of the late Antoine Reguis in charge of the said Louis Bernard, who shall render an account of said sum, without any diminution, to said minors, upon their reaching the age of majority; and this with the consent of André Simon, under-tutor of said minors, and of Songy called Lafrance, according to the deliberations of a family meeting held before Mr. Salmon, First Judge of the Council, on March 24, 1738; the said receipt and discharge of Vitts having been passed before Henry, Notary, on September 22, 1738;

And, on the side of the said Marchand, defendant, claiming that the said property belongs to both of them and must be divided between him and said Rivard, because one of them married Catherine, and the other married Anne, both being the daughters of Louis Bernard and of the late Elizabeth Stigrin, to whom the said property was due as her share and portion in the community between her and the late Reguis, her first husband, the following documents were submitted:

First, procès-verbal of the deliberations of a family meeting held before Mr. Salmon, which family meeting selected Louis Vitts as tutor of Antoine Reguis, minor son of the late Antoine Reguis and of Rose Morand; the said meeting having been called by Elizabeth Stigrin, widow by first marriage of said late Reguis. There were three children in question, two by the first marriage of Reguis and Rose Morand, namely, Antoine and Marie Therese; and one by the second marriage of said late Reguis and Elizabeth Stigrin, a girl, eleven months old, named Antoinette. The two girls were put in charge of the mother, who received the shares due to them, to be administered under the supervision of Antoine Simon, under-tutor; while Antoine Reguis remained under the tutorship of the aforesaid Vitts:

2nd. A marriage contract between said Elizabeth Stigrin, widow of Reguis, and Louis Bernard; which contract, besides other clauses, sets forth that the property brought into the marriage by said widow Stigrin represents one-half of what comes to her from her first community;

3rd. Inventory taken at the death of said Madame Stigrin, wife of Bernard, in which inventory is entered the said lot of ground of her first community; which property, in all probability, had been allotted to her in the partition of the community between her and her first husband, the said late Antoine Reguis; which inventory amounts to the sum of 13,340 livres, according to the appraisement made by some friends, who signed at the bottom of said inventory, which had been deposited in the Office of Henry, Notary, on August 10, 1744;

4th. One receipt of Francois Blain, as husband of Therese Reguis, daughter of said late Antoine Reguis, for the sum of 741 livres and 6 sols, which he acknowledged to have received from Bernard, tutor of said Therese Reguis, in settlement of her share in the estate of her father and mother; said receipt dated October 17, 1750;

5th. One obligation of Sieur Vitts, tutor of Antoine Reguis, appointed on the advice of a family meeting held on March 24, 1738, for the sum of 741 livres, and 6 sols, representing the share of said minor in the successions of his father and mother;

But, from the discharge produced by the heirs of Vitts it appears that the said sum of 741 livres and 6 sols had been turned over to said Bernard, who took charge of same, as he likewise had taken charge of the education of the minor until full age, said Bernard being under obligation to account for said sum without diminution, excepting what he might disburse to have a trade taught to said minor; but, as the latter did not learn any trade, the said sum must be paid in its entirety by the heirs of said Louis Bernard, who had taken charge of same, in his capacity of tutor.

All this considered, Gentlemen, and subject to your better opinion, the undersigned Councillor Commissioner reached the conclusion, after having perused all the documents submitted by both parties: That the demands of Rivard against Marchand should be rejected; that the said compromises made by Rivard with Antoine Reguis and Therese Reguis be considered null, inasmuch as said Antoine had nothing else besides the said 742 livres, and said Therese had nothing else besides the said 741 livres and 6 sols, from the successions of their father and mother; that therefore there was no foundation for Rivard's suit against Marchand, since it appears from the said two compromises that the said minors no longer had any claims on said lot of ground and the house thereon, and that the said property belongs exclusively to said Bernard and his children; consequently it should be equally divided between Catherine and Anne Bernard; and furthermore that said Rivard shall account to said Marchand for the rents and revenues of said property during the time that Metzingue had charge of same, according to the Council's order rendered in behalf of said minors, in the

presence of the Procureur General of the King, on April 8, 1758; and that he shall also account for all sums collected out of said property subsequently to his rendering said account; and besides, that the said Rivard shall pay all Court costs.

New Orleans, June 28, 1763. (Signed): De Launay.

Above report submitted to the Procureur General of the King.

July 20, 1763.—I Have submitted these conclusions to the Procureur General of the King, so that, upon the same, he might formulate his own conclusions, as he may

see fit.

New Orleans, July 20, 1763. (Signed): De Launay.

(Translator's Note:—The document is drafted in a very clumsy manner, and in many instances the meaning is almost incomprehensible. This appears quite strange when one considers that it was drafted by a Councillor of the Superior Council. The document is also the first of its kind found by the translator; yet, in every case there should be a Report to the Court by the Commissioner appointed for the same.—G. L.)

(To be continued.)

INDEX TO THE SPANISH JUDICIAL RECORDS OF LOUISIANA LXXII.

October, 1784.
(Continued from October, 1941, Quarterly)

By LAURA L. PORTEOUS (With Marginal Notes by Walter Prichard)

Spanish officials appearing in this installment:

Esteban Miro, Colonel of the Fixed Regiment of Infantry of this Place and Acting Governor of the Province of Louisiana.

Juan Doroteo del Postigo y Balderrama, Auditor of War and Assessor General of Louisiana.

Alcaldes: Juan Estevan Boré; Juan Renato Huchet de Kernion (1785); Francisco Maria de Reggio; Nicolas Forstall (1785).

Escribanos: Rafael Perdomo; Fernando Rodriguez.

Attorneys: Pedro Bertonière; Antonio Mendez.

Public Appraisers: Francisco Josef Le Bretton; Juan Luis Zeringue.

Nicolas Fromentin, Deputy Sheriff.

Estevan de Quinones, Official Taxer of Costs of Court.

October 5, 1784.

Pedro Olivier vs. Andres Dumon(t).

Court of Governor Esteban Miro.

Pedro Olivier, in his first petition, sets forth that as the attached obligation shows, Andres Dumont owes him 266 pesos delivered to him in gold, in London, to pay Mr. Pallet in New Orleans, and although the money was given to him September 10, 1782, and he arrived at this Port six or seven months ago, he has Assessor, Juan del Postigo. not fulfilled his agreement. The Escribano, Rafael Perdomo. litely about the payment of the debt, but so far nothing has been This suit to collect a debt which the debtor acknowledges owing, but which he is unable to pay at the time, is interesting mainly for the illustration of the legal procedure involved in establishing proof of title of defendant to a slave and a plantation which he wishes to mortgage as security for future payment of the debt.

dept, but so far nothing has been done in the matter. Therefore, in order to institute legal proceedings against the defendant, may it please the Court to decree that under oath and without delay, he verify his signature and dealer. the amount specified, and done

send his declaration to the petitioner so that he may promote whatever may be convenient. Governor Miro, on Assessor Postigo's advice, rules: The power of attorney and obligation having been presented, let the defendant swear and declare as requested, the taking of his deposition to be entrusted to the Escribano, and done deliver it to the plaintiff.

In the city of New Orleans, on Declaration. October 7, 1784, before the Escribano appeared Andres Dumont, who took oath by God and the Cross, according to law, under charge of which he promised to speak the truth, and when the note, filed on page 4, was placed before him he said the signature on the reverse side is his and that he owes the amount demanded, but the reason it has not been paid is because some money is due him from the Royal Treasury and other persons in this city, and that just as soon as he can collect he will promptly pay the stipulated amount. In the meanwhile he is willing to mortgage to Mr. Olivier, for three months, a mulattress and a lot of ground belonging to him, for the security of the said debt. What he has declared is the truth under the oath he has taken, and he is 51 years of age. (Signed) Andre Dumondt.

I obligate myself to pay to Mr. Pailhet (Pallet) or his order the sum of 60 pounds 15 shillings, sterling, for Pierre Audibert's account, for value received from him in cash. London, September 10, 1782. Made in duplicate, the one paid, the other of no value. (Signed) A. Dumondt.

In the city of New Orleans, on October 4, 1784, before the Escribano and undersigned witnesses, appeared Pedro Audebert, a resident of this city, known to the Escribano, who granted his full, complete and ample power of attorney to Antonio Mendez, Public Attorney of this city, and especially so that he may represent the grantor's own proper person, rights and actions and may demand, receive and collect from Andres Dumont the sum of 266 pesos in hard silver, new Mexican coin, that he owes, to obtain which he may present himself before the Judges and Justices of His Majesty.

Pedro Olivier petitions to have the defendant prove his ownership to the property he proposes to mortgage.

The plaintiff petitions, saying the records of the case have been delivered to him, together with the defendant's declaration, made at his instance, wherein he clearly acknowledges that he owes the amount specified and proposes to mortgage a mulattress and a lot of ground which he claims belongs to him; but before the abovesaid can be accepted as security, Mr. Dumont must prove his own-

ership in this Court, so that the present Escribano may draw up the necessary Notarial Act in the terms set forth in his foregoing petition. Esteban Miro, on Juan del Postigo's advice, receives this petition and on October 11, 1784, decrees:

Whereas, let this party present his title deeds so as to prove his ownership to the land and mulattress he offers as security for the debt he owes Pedro Olivier.

Act of Sale of Slave. Act of Sale executed before Leonardo Mazange, dated April 30, 1782, by which Juan Reynaud sells to Andres Dumont a mulattress named Cecilla (Cecilia), aged about sixteen, who belongs to him because he bought her from Pedro Bidou Herbert, by written act drawn up before the present Escribano, February 27, 1782. The slave was bought as healthy and without defects, free of all liens and mortgages as the annotator certifies, for 600 pesos which was paid in cash and is acknowledged as received by the vendor who renounces the exceptions in his favor and gives a formal receipt for same.

A certified copy of a Notarial Act of Exchange. Act of Exchange by which Juan Bautista Sosie transfers to Andres Dumont a plantation, measuring 8 arpents front by the usual depth, 11 leagues from the city on the same side of the river, below New Orleans, owned by the said Juan Bautista Sosie, or Saucie, with a legal title. It is adjoined on the lower side by his brother, Francisco Saucie's place and on the upper by the Senior Mr. Laloire's plantation and was acquired by grant from Mr. de Kerlerec, former Governor of this Province, and later by another concession from Bernardo de Galvez. With the lapse of time and overflows, the first titles have been mislaid and at present cannot be found, but it is clear from old records that he has held it without question for more than 20 years, in exchange for a negress named Luisa, who belongs to Andres Dumont because he bought her from Roche Bonet, more than 14 years ago, by means of a simple piece of paper, according to the former customs of the Colony. They declare that the just price and true value of the plantation and the negress is 300 pesos for each one, and that both are free of mortgages and liens, as the present Escribano certifies, upon consulting the books in his keeping, and having agreed to exchange the plantation for Luisa, by these presents, Juan Bautista Saucie acknowledges to have received the negress, in conformity to their agreement, and Andres Dumont declares he accepts the plantation in the condition in which he finds it and renounces the proof of laws, etc., and draws up a formal receipt for same. This act is executed before Leonardo Mazange and is dated New Orleans, November 27, 1779.

The defendant petitions to say Andres Dumont petitions to present the that he has been notified of a decree ordering him to produce, in

this Court, documents to prove his ownership to a piece of land and a slave. In obedience to this decree he duly presents certified copies of Notarial Acts which verify his claim, and on the strength of them he prays for a judgment in accordance with justice. Governor Miro, on Assessor Postigo's advice, receives this petition and later, on October 15, 1784, decrees:

Let the written documents presented by Andres Dumont be de-

clared sufficient to prove his legitimate ownership to the griffe and the land. Fees 3 pesos. (Signed) Esteban Miro and Licenciado Postigo.

[Translator's Note:—The record ends here. It is to be supposed that the case was settled out of Court.—L. L. P.]

October 7.

Succession of Pedro Daspit, called Santamant. Inventory and appraisement of his estate.

No. 137. 89 pp.

Courts of Alcaldes Esteban Boré and Renato de Kernion.

No Assessor.

For the student of legal procedure in Spanish colonial Louisiana this suit involving a succession has nothing of special interest, as the usual procedure is followed: certification of death, the collection of the keys, search for the will, and the inventory and appraisal of the estate of the deceased, and sale of the effects at public auction. But for the student of the economic and social history of that period in Louisiana there are several items of interest, such as the description and price of kitchen utensils and household effects, livestock, slaves, and the plantation left by the deceased. As the case stands in these records, it is unfinished.

The official death notice reads: In the city of New Orleans, on the seventh of October of the year one thousand seven hundred and eighty-four, Señor Don Esteban Boré, Junior Alcalde Ordinario of this city and its jurisdicton for His Majesty, declared that today, at about nine o'clock in the morning, he has just been notified of the testate death of Pedro Dasni (alias) Santa Man. A will was executed for him four years ago, before Leonardo Mazange, former Escribano Publico, which the deceased stipulates Escribano, Rafael Perdomo. that he leaves both heirs and estate. Therefore, to conform to law, for the security of the estate, and to protect the heirs, His Honor orders this act drawn up to begin the proceedings. Let the death of the abovenamed be made evident by certification and attestation of the present Escribano, to whom the necessary commission is given to collect the keys of the decedent's coffres. In the interval he must hold these in his possession, at

the disposition of this Court, thus His Honor has decreed, ordered and signed, to which the Escribano attests. (Signed) Jean Etienne Boré. Before Rafael Perdomo, Notary Public.

Pursuant to the foregoing decree, the Escribano certifies that he went to Pedro Daspit's house where he saw him in one of the the rooms, laid out upon a bed, to all appearances dead, and as such it was resolved and arranged to bury him. In testimony whereof the present is set down as a matter of record on the abovecited day, month and year. (Signed) Rafael Perdomo, Notary Public.

Immediately after, the Escribano, in virtue of the commission conferred upon him, asked for the keys left by Pedro Daspit. Two were handed to him by Mr. Zeringue. He holds these in his possession, in the interim, at the disposition of the Court, and in testimony whereof he sets this down as a matter of record, to which he certifies. (Signed) Rafael Perdomo, Notary Public.

New Orleans, December 8th, 1784. Let the Escribanos del Numero of this city certify whether a testamentary disposition for Pedro Daspit, called Santamant, has been executed before them, and the abovesaid having been done, bring their declarations to the Court. (Signed) Boré. By order of His Honor. Rafael Perdomo, Clerk of the Court.

Rafael Perdomo certifies that to the best of his knowledge no will was ever executed before him, nor has one been filed in the Archives in his keeping, for Pedro Daspit, called Santamant. In testimony whereof the present is recorded in New Orleans, on the ninth of October of the year one thousand seven hundred and eighty-four. (Signed) Rafael Perdomo, Notary Public.

On October 11, 1784, the Escribano, pursuant to the foregoing decree, went to Fernando Rodriguez' dwelling house, and upon arriving there personally notified him of the contents of the foregoing decree, and he declared that to the best of his knowledge he must certify that the will which has been requested will be found in his Book of Records for 1780. It was executed before Leonardo Mazange, a former Notary of New Orleans, and is dated March 27th, 1780. (Signed) Fernando Rodriguez, Notary Public.

New Orleans, October 12, 1784. Let the Escribano, before whom the will of Pedro Daspit, called Santamant, is said to have been executed, place a copy of it at the end of these proceedings, and done bring the records of the case to the Court. (Signed) Boré. By Order of His Honor. Rafael Perdomo, Clerk of the Court.

In the name of God Almighty The Will. who lives without beginning and reigns without end, Amen. Know you to whom this letter of last will and testament comes that I, Don Pedro Daspi(t) called St. Aman(t), a resident of this city, am the legitimate son of the lawful marriage of Juan Francisco Daspit, a native of Tolozo (Toulouse) in France, and Francisca Debuison (Dubuisson?), a native of Dunkerque, being ill, but in full possession of my judgment, memory and natural understanding which God, Our Lord, has been pleased to give me, believing, as I firmly do believe, in the ineffable mystery of the Most Holy Trinity, Father, Son and Holy Ghost, three persons really distinct and one true essence, and in the Incarnation of the Word Divine, made Man for our redemption in the chaste womb of the Virgin Mary, Mother of God, and Our Lady, conceived without original sin, and all other Articles and Mysteries that Our Holy Mother, the Catholic, Apostolic and Roman Church, holds, believes, confesses, preaches and teaches, reigned over and governed by the Holy Ghost, under which faith and belief I have lived and protest I shall hold until I die. Fearing death, which is natural to all creatures. its hour uncertain, and foreseeing that mine has arrived, I wish to make my will, and for its better guidance I invoke as my Advocate the Sovereign Queen of the Angels, Mary, Our Lady, so that she will intercede for me with her precious Son to pardon the gravity of my sins and place my soul in the way of salvation, with this protestation and supplication of Divine Invocation, I order in the following form:

Firstly, I commend my soul to the same God and Lord that gave it to me, created and redeemed it with the infinite price and value of his precious blood, passion and death, and I supplicate him that from the depths of His Mercy he will deign to pardon it and carry it to its eternal rest with His Elect for which it was created. My body I assign to the earth from which it was made, and when I shall die I wish to be shrouded in the most humble way possible and that I shall be given burial in the place that will be chosen by my executors, to whose disposition I leave the rest of the arrangements for my funeral, so that they may do what seems suitable, for this is my will.

I order that three Masses be said for my soul and that an alms of 2 reales, for one time, only, be given for each one of the forced bequests, which must be taken from my estate.

I give and bequeath to the Charity Hospital of this city the sum of 100 hard pesos for the poor, for thus it is my will.

I give and bequeath to Alexandro Daspit, my last male child, the sum of 600 pesos which will be paid to him from the one-fifth of my estate, for thus it is my will.

I declare I have been married and veiled according to the order of our Holy Mother, the Church, to Loreins, from which marriage we have had as our legitimate children, Francisca, aged 27; Pedro, 25; Miguel, 23; Francisco, 21; Alexandro, 19; and Rosalia, 17; these I declare as my legitimate children and of my said deceased wife, in testimony whereof.

I declare that I do not remember whether any debts are owed by me, or to me, but if, at my death, any should be proven to be lawful, it is my wish that they be collected and paid, for thus it is my will.

And in order that the abovesaid may have effect, I elect and name Dominico Daspit as my testamentary executor, so that he may carry out this, my testamentary disposition, so from now I give him the power that is required, and if more time will be needed I extend the year of executorship, for thus it is my will.

I name my son, Pedro Daspit, as guardian of my estate, until a partition will be made, and Juan Luis Zeringue as curator of my minor children, for thus it is my will.

And for the remainder of all my estate, rights and actions, I institute and appoint as my sole and universal heirs, my said six children, Francisca, Pedro, Miguel, Francisco, Alexandro and Rosalia Daspit, so that at my death they may have and inherit, with God's benediction and mine, for thus it is my will.

I revoke, annul and give as null and of no value, nor effect, any other wills, codicils, procurations and dispositions to testate that I may have made before, either in writing or verbally, and I wish them to have no value nor credit, in Court or outside of it, save this one that at present I execute as my last and final will, in the way and form that may be lawful.

In testimony whereof this letter is dated in the city of New Orleans, on the twenty-seventh of March of the year one thousand seven hundred and eighty. The Escribano attests that he knows the testator, who is to all appearances in full possession of his faculties, but he did not sign because his hand trembled. He prayed the witnesses, Adrian de la Plaza, Juan Vizente and Fernando Rodriguez, residents here present, to sign for him. (Signed) Fernando Rodriguez, witness; Adrian de la Plaza; Juan Visente; before Leonardo Mazange.

The above agrees with the original which was executed before Leonardo Mazange, late Notary Public of this Province, which remains in my possession and Archives and to which I refer, and upon request of the party I give the present written on eight sheets of common paper, stamped paper not being in use in New Orleans. October 15, 1784. (Signed) Cross and Flourish. In testimony of the truth. Fernando Rodriguez, Notary Public for the Cabildo and Government.

Rights to taxation.

Pedro Bertonière petitions to make an torney, and Curator ad lites for the minor, Alexandro Sant Amant in the proceedings taken at the death of Pedro Daspit, called Sant Amant, etc., states that the records of the case have been delivered to him so that he can represent the rights of his minor, therefore he prays it may please the Court to order an inventory and appraisement made of the property left by the deceased. Alcalde Boré rules: Let this petition be sent to the heirs of age.

Pedro, Miguel and Francisco Daspit, and Alfonso Perret and Antonio Piqueri, as husbands of Francisca and Rosalia Daspit, petition, saying that they have been given the written request presented by the curator of the minor, Alexandro Daspit, and that in answer to same they offer no objection to the taking of the inventory as solicited by Mr. Bertonière. (Signed) A. J. Piqueri; Miguel St. Amant; Pierre Daspit; Francois Daspit; Alphonse Perret. Esteban Boré decrees: Let these parties be notified to name an appraiser for the proceedings, as petitioned, who must be summoned for what is legal.

The Curator names an appraiser. Pedro Bertonière petitions, averring that an inventory and appraisement has been ordered made of the decedent's property, and for this purpose he names Francisco Josef Le Bretton as appraiser for his minor's part, and prays the Court to order the heirs of age to do likewise within a short space of time, so that they can proceed with the taking of the said inventory as decreed. Alcalde Boré rules: The appraiser having been named, as stated above, let him be notified for his acceptation and oath. The other parties must also be notified so that they can present a petition, within three days, specifying their choice in the matter, and in default of same the Court will proceed with the appointment of one to represent them.

On the said day, month and year (October 19, 1784), the Escribano personally notified Francisco Lebretton of his appointment, and in virtue of which he said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the estimation he has been ordered to make. He signed, to which the Escribano attests.

Pedro, Miguel and Francisco
The heirs of age petition to appoint an Daspit and Alfonso Perret and
Antonio Piqueri, petition to say
that it has pleased the Court to order them to name an
appraiser and for the Curator to do likewise. This he has
already done, so now they, in obedience to the said decree,
appoint Juan Luis Zeringue for theirs. Etienne Boré rules:
Let the abovesaid appointment be confirmed. Notify Mr.
Zeringue, in the customary way, for his acceptation and oath.

On the said day, month and year (October 20, 1784), Juan Luis Zeringue was personally notified, and he said that he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the estimation he has been ordered to make, and he signed, to which the Escribano attests.

Pedro Bertonière sets forth Pedro Bertonière prays to have a day that the Court has ordered an inventory and appraisement made of all the property left by the decedent, therefore, in order to carry out this decree, he prays to have the day and hour assigned for this purpose. Alcalde Boré receives this petition and on October 22, 1784, decrees: Let the twenty-fifth of the current month be the day set aside for the making of the inventory and estimation of the property left by Pedro Daspit, called Santamant. Notify the interested parties to this effect.

In the city of New Orleans, on the twenty-fifth of October of the year one thousand seven hundred and eighty-four, at about four o'clock in the morning, the Escribano attests he left the city for the Pedro Daspit plantation, situated about 4 leagues away, on the other side of the river, accompanied by Esteban Boré, Alcalde; Dominico Daspit, testamentary executor; Pedro Bertonière, Public Attorney; Juan Luis Zeringue and Francisco Lebreton, expert appraisers named to take an inventory of the Daspit estate, according to a decree of the Court, and in testimony whereof he sets this down as a matter of record. (Signed) Boré; Francisco Josef Lebreton; Francois Daspit; Alphonse Perret; Pierre Daspit; A. J. Piquiri; Pedro Bertonière; Miguel Amant. Before Rafael Perdomo.

Proceedings at arrival. The Escribano also attests that he arrived at the plantation at about half-past eight in the morning of the said day, accompanied by the Judge and other gentlemen mentioned above, and in testimony whereof he sets this down as a matter of record. Signed as in the preceding entry.

Immediately after, Estevan Inventory and appraisement of the Daspit Boré, Junior Alcalde Ordinario for this city and its jurisdiction for His Majesty, accompanied by the present Escribano; Dominico Daspit, Testamentary Executor; Pedro Bertonière, Curator ad lites for the minor son of Pedro Daspit, called St. Amant; the other co-heirs; and Juan Luis Zeringue and Francisco Josef Lebreton, expert appraisers named for this purpose, His Honor ordered the abovesaid to begin the inventory which was executed in the following manner:

| Firstly, they inventoried and estimated 1 large, | |
|--|-------|
| half used saw at | 3 - |
| 3 medium sized hand saws and 1 half used | |
| plane at | 2 - |
| Another saw with 2 handles and 1 mallet | 2 - |
| 4 axes, good and bad | 4 - |
| 2 hatchets in bad condition | 3 - |
| 10 hoes, good and bad | 5 - |
| 5 knives to cultivate indigo | 1 - 4 |
| 4 iron hoops for cart wheels and two larger | |
| ones for casks and two carpenter's clamps | 1 - 4 |
| 4 benches in bad condition | 3 - |
| 24 painted china dishes | 3 - |
| 4 small white china platters | 1 - |
| 1 dozen fine china coffee cups and saucers | 3 - |
| | |

At this stage, because it was 12 o'clock, His Honor suspended the proceedings, which will be continued when requested. All the foregoing items were placed in charge of Pedro Daspit, Executor (Guardian of the estate), who being here present acknowledged to have received them and gave a formal receipt for the articles, which he signed with His Honor and all other persons mentioned above.

The Inventory taking continued.

Being on the plantation on the aforenamed day, month and year, Alcalde Boré ordered the taking of the inventory continued, which was done in the following manner:

| 6 old, large painted platters | 1 - 4 |
|--|-------|
| 1 gravy dish, with its ladle | 4 - |
| 1 crystal caster with three branches | 1 4 |
| 6 silver pieces of table service without knives, | 40 - |
| 1 small cypress armoire, in bad condition | 2 - |
| 2 small earthen jars, in bad condition | 1 - 4 |
| 5 large and small iron kettles, 1 shovel, 1 pair of tongs, 1 spit, all half used | 5 - |

| 1 pair of very old chimney irons and 1 old | | |
|---|---------|-----|
| cypress bath tub | 2 - | |
| 10 sheets, 8 new and 2 old | | |
| 12 table napkins and 4 small tablecloths | 10 - | |
| 3 pieces of cloth | 1 - | . 4 |
| 1 large walnut armoire, in good condition, with | 20 - | |
| The taking of the inventory was suspended, b | | |
| was late, and was resumed on October 26, 1784, at eight in the morning, with the same proceedings as 1 cypress bed, with 2 mattresses, 1 feather and the other Spanish moss, 2 woollen blankets, 1 coarse | half-pa | ast |
| linen mosquito bar, and pillows | 20 - | |
| 1 old walnut table | 4 - | |
| 1 tin pump | 4 - | |
| 1 new cart with all its harnesses | 10 - | |
| 6 large and small pigs, both male and female | 30 - | |
| | | |
| Cattle | | |
| 1 pair of oxen, 1 broken, the other without | | |
| training | 40 - | |
| 2 bull calves, 1 year old | 30 - | |
| 2 bulls | 20 - | |
| 2 cows with 2 bull calves | 40 - | |
| Negroes | | |
| Pedro, a creole, aged 45 years, a carter by trade Jupiter, a Mandringa negro, aged 60 | 100 - | |
| Leandro, a Mandringa negro, aged 30, without | | |
| a trade | 600 - | |
| Antonio, aged 45, a Mandringa negro | | |
| Lindor, a Mandringa negro, aged 18 | | |
| Juana, a creole, from Sinigal (Senegal),* aged | | |
| 35 | 400 - | |
| Modesta, a creole, aged 35, with her son, Batista, aged 2 years. She is a washer, ironer and | 000 | |
| | 800 - | |
| 794 pesos, 6 reales, in notes of the Royal Treasury that were left in the possession of the heirs | | |
| by order of the Judge. | 194 - | 0 |

^{*}Note: This is a misstatement, Juana could not be both creole and Senegalese. To be a creole, she would have to have been born of pure Negro parentage in the Western Hemisphere. Therefore if born in Senegal, she could not possibly be a creole.—L.L.P.

At this stage, because there was nothing else to appraise, belonging to Pedro Daspit, His Honor finished this proceeding, to be continued if any other property should be found. All that has been inventoried was left in Pedro Daspit's charge, who being present, acknowledged to have received same and drew up a formal receipt for the estate which he signed with His Honor and the other parties. Signed as above.

Proceedings to return to the city. On the same day, month and year, already cited, the Escribano attests they left the late Pedro Daspit St. Amant's plantation at about 6 o'clock in the afternoon and arrived in this city at about 9 o'clock at night. In testimony whereof he sets this down as a matter of record. Signed as above.

Pedro Bertonière petitions to Pedro Bertonière prays for an approval say that the inventory and appraisement of the Pedro Daspit St. Amant estate has been finished, and having examined it carefully he finds it has been made well and according to law, therefore he prays the Court to approve it and condemn the other interested parties to abide by it, interposing its authority and judicial decree for this purpose. Alcalde Boré orders this petition sent to the heirs of age.

Pedro, Miguel and Francisco
The heirs of age offer no objections to Daspit and Alfonso Perret and
Antonio Piqueri petition to say
that the written request presented by the Curator of the minor
heirs, in which he asks for an approval of the inventory, has
been given to them, and in answer to same they offer no
objections and pray the Court to grant his petition and to
condemn all interested parties to abide by it, interposing its
authority and judicial decree for this purpose. Esteban Boré
receives this plea and on November 4, 1784, decrees: Whereas, with the consent of the parties, the inventory made of the
estate left by Pedro Daspit St. Amant is approved. His Honor
said he must condemn and does condemn the parties to abide
by it, and for its greater force and validation Alcalde Boré
interposes and does interpose his authority and judicial decree.

Pedro Bertonière avers that,

Pedro Bertonière petitions for a sale of considering the inventory has been approved, may it please the Court to order the sale of the effects with the understanding that the house furnishings, live stock and implements be sold for cash and that the other items, negroes and plantation, be sold on terms of one year because these conditions will be of greater benefit to the heirs of age and the minor. Esteban Boré orders this petition sent to the other heirs.

The heirs of age agree to the sale and petition say the Curator's request has been given to them, and in answer to it they offer no objections and pray the Court to grant his plea, since it is in conformity to law. They further ask for an order to sell the estate, after the three public calls have been made. Alcalde Boré rules: As it is prayed, and done a decision will be rendered.

The first, second and third public calls are made November 6, 9, and 12, respectively, and on November 13 the Court decrees: Whereas, let the 15th of the current month be assigned as the day for holding the auction. Notify the parties to be present at 9 o'clock in the morning.

Proceedings on leaving the city. In the city of New Orleans on the fifteenth day of the month of November, of the year one thousand seven hundred and eighty-four, the Escribano certifies that they left the city for the Pedro Daspit Santamant plantation, situated four leagues from the city on the other side of the river, to hold the auction sale the Court has ordered them to make. They began their journey at 4 o'clock in the morning and arrived in the country at about half-past eight. In testimony whereof he sets this down as a matter of record. Alcalde Boré signed, together with all the interested parties, before Rafael Perdomo.

Proceedings on arrival at the plantation. The Escribano further attests that he arrived at the plantation about half-past eight in the morning of the said day (November 15, 1784), accompanied by the said Judge and other gentlemen interested in the estate, and in testimony whereof he sets this down as a matter of record.

Auction sale in the country.

Boré, Junior Alcalde Ordinario of this city and its jurisdiction for His Majesty, accompanied by Rafael Perdomo, Escribano; Dominico Daspit, Testamentary Executor; Pedro Bertonière, Curator ad lites; and the other co-heirs assembled to auction the movables placed

on manifest. His Honor addressed all parties and directed the public crier of the city to proclaim the sale, which he did, calling whoever wishes to bid on the movables belonging to the Daspit Succession let him appear and make an offer and it will be received because the several items must be sold by 12 o'clock today to the person willing to pay the highest amount in cash.

| Willouis In Cushi | |
|--|---------|
| Pedro Daspit is the first bidder; he offers 7 pesos for 1 large saw with handles. Miguel St. Amant bids 7 pesos 4 reales and the saw is adjudicated to him at that price | 7 – 4 |
| 3 hand saws and 2 large carpenter's planes are put up. Francisco Langlois offers 3 pesos, and Pedro Daspit 3 pesos 4 reales and receives these tools | 3 - 4 |
| Alfonso Perret bids 1 peso on 1 large saw with handles, in good condition. Joseph Pieri raises it to 1 peso 4 reales | 1 – 4 |
| 4 axes, 1 of them large, brought an offer of 2 pesos from Leonardo Mazange, and 2 pesos 4 reales from Miguel St. Amant | 2 - 4 |
| Josef Pieri bids 3 pesos for 2 hatchets, and Miguel St. Amant 3 pesos 4 reales | 3 - 4 |
| from Pedro Daspit, and 7 pesos 4 reales from Miguel St. Amant | 7 - 4 |
| Joseph Piquiri offered 4 pesos for 5 knives used to cultivate indigo, which was raised by Francisco St. Amant to 5 pesos | 5 - |
| old iron hoops, and Josef Dusuean 2 | 2 - |
| At this stage, because the bell had rung for 12 prayers, His Honor ordered the proceedings suspend be continued when requested, with the understanding to purchasers would fulfill the conditions of the sale. | ded, to |
| Alcalde Boré signed with the other parties, to wh | ich the |

Alcalde Boré signed with the other parties, to which the Escribano attests. (Signed) J. Etienne Boré; Pierre Daspit; Francisco Daspit; A. J. Piqueri; Alphonse Perret; M'el St. Amant. Before Rafael Perdomo.

The auction at the plantation is resumed in the afternoon. The first item offered is:

| A lot of 4 new chairs. Pedro Daspit bids 5 pesos for them, which Miguel St. Amant raised to 6 pesos and received the chairs as the highest bidder | |
|---|--|
| Josef Dusuean offered 4 pesos, and Miguel St. Amant 5 for 2 beams in good condition | |

| 1 large auger and 1 carpenter's clamp brought a bid of 3 pesos from Josef Barrios, and 3 pesos 4 reales from Pedro Daspit | 3 - 4 |
|--|------------|
| Leonardo Mazange offers 1 peso for 2 pairs of curtains, with Josef Piqueri bidding 1 peso 3 reales | 1 - 3 |
| 2 dozen fine china dishes received an offer of 3 pesos from Alfonso Perret, and 4 from Miguel St. | |
| Amant | 4 - |
| platters, and Miguel St. Amant 3 pesos | 3 - |
| up for sale and brought an offer of 4 pesos from Miguel St. Amant, and 5 from Alfonso Perret | 5 — |
| The proceeding is suspended here and resumed or ber 17, 1784, with an offer of: | Novem- |
| 6 large and small dishes, which received a bid of 4 pesos from Antonio St. Amant, raised to 4 pesos 4 reales by Mrs. Mason | 4 – 4 |
| Alfonso Perret bid 4 reales on 1 gravy dish, which was raised to 1 peso by Francisco Daspit 1 crystal vinegar cruet with 3 branches was | 1 - |
| put up for sale, receiving a bid of 1 peso from Josef Lebreton, raised to 1 peso 4 reales by Mrs. Mason 6 silver covers were offered next, with a bid of | 1 - 4 |
| 50 pesos from Josef Lebreton, and 61 from Josef Zeringue | 61 - |
| 1 silver measure for manufacturing indigo received a bid of 8 pesos from Josef Zeringue, and 9 | |
| Antonio St. Amant bids 3 pesos on 1 old, small cypress armoire, with a higher offer of 4 pesos from | 9 – |
| Alfonso Perret | 4 - |
| 2 small earthenware jars, in good condition, were next placed on sale. They brought out a bid of 8 pesos from Josef Piqueri, and 10 from Antonio | |
| St. Amant | 10 – |
| in a lot, received an offer of 10 pesos from Francisco Daspit, and 12 from Josef Piqueri | 12 – |
| The sale is suspended, because it is 12 o'clo resumed in the afternoon with an offer of: | ck, and |
| 1 pair of chimney irons, 1 old cypress bath tub. This lot received a bid of 2 pesos from Francisco Daspit, and 3 from Josef Piqueri | 3 - |
| - uspan, saw y arvan sout a iquori | |

Negroes

| Pedro, a creole, aged 45, a carter and laborer, was placed on sale. A bid of 1000 pesos was made for him by Leonardo Mazange, and raised to 1060 by Miguel St. Amant | 1060 | _ |
|---|--------------|------------|
| Pedro Bertonière offered 200 pesos for Jupiter, a Mandringa negro, aged 60 years, with a higher bid of 210 pesos from Pedro Daspit | 210 | _ |
| Leandro, a Mandringa negro, aged 30, without a trade, received a bid of 850 pesos from Alexandro Aran, and 900 from Pedro Daspit | 900 | - |
| At this stage, because it was 6 o'clock in the a the auction is suspended and resumed the follow November 19, 1784, when: | ftern ing | oon day |
| m | 750 | _ |
| Leonardo Mazange offered 900 pesos, and Alexandro St. Amant 950 for the Mandringa negro, Lindor | 950 | _ |
| Domingo Perret bids 600 pesos for Juana, a creole from Sinigal (Senegal), aged 35, which Alexandro St. Amant raised to 660 | 660 | - |
| Antonio Mendez offered 1040 pesos, and Alfonso Perret 1100 for Modesta, a creole negress, aged 35, a washer, ironer and cook, with her son, Batista, aged 2 years. They were adjudicated to Mr. Perret, as the highest bidder | 100 | _ |
| | | |

The proceeding is suspended here and resumed in the afternoon.

There are three calls for the sale of the plantation. The first is made November 19, 1784. The place is described as being 4 leagues above the city, on the other side of the river. The purchaser must pay for same within 2 years and give bond. No bid was offered, so the sale was held over until the following day.

At this stage, as it was 6 o'clock in the afternoon and because there was nothing more to sell, belonging to the estate, His Honor ordered the crier to call the last bid of 2500 pesos offered for the plantation for the first, second and third time. The plantation was then adjudicated to Miguel St. Amant and the proceedings concluded. The purchaser obligated himself to comply with the conditions of the sale. The Alcalde and all parties signed, to which the Escribano (Signed) J. Etienne Boré; Pierre Daspit; A. J. Piqueri; Francois Daspit; Alphonse Perret; M'el St. Amant. Before Rafael Perdomo, Notary Public.

The Escribano attests that he Proceedings to return to the city. left the plantation, accompanied by Estevan Boré, Judge of this Cause, together with the other parties, at half-past six in the afternoon and arrived in the city at 9 o'clock at night, and in testimony whereof he sets this down as a matter of record. Signed as above.

On May 19, 1785, Pedro Ber-Pedro Bertonière petitions for a taxation tonière, Curator ad lites to the minor, Alexandro St. Amant, petitions, setting forth that the inventory and appraisement of the decedent's estate has been finished and the sale of same effected, therefore he prays for a taxation of costs, which must be paid by the guardian of the property. Renato de Kernion, who has received the case from his predecessor, rules: Petition denied, because the cause has not arrived at that state.

Notifications.

All interested parties are notified of this decision.

[Translator's Note:-Nothing further is done, so the suit must be classed as unfinished.—L. L. P.]

October 8.

A detached petition by which Francisco Bojard asks by the Jung Estate.

No number. Pages 11 and 12.

Court of Alcalde Estevan

A detached petition, dated October 8, 1784, belongs to some other record. [See Succession of Andres Jung, September 14, 1784. No. 141. 8 pp.] In this to be paid a sum due him petition Francisco Bojard sets by the Jung Estate. owes him 60 pesos for costs of the Court incurred at Pensacola Bay for an examination of the damages sustained by the schooner, San Andres, under the plaintiff's command, belonging to the deceased. The Escribano of Pensacola signed a receipt for

No Assessor.

the said amount when paid. This sum has never been refunded. Escribano, Rafael Perdomo, and since he cannot find the said receipt among his papers he pre-This petition is only a fragment of a sents a certified copy of the pro-suit brought by plaintiff to collect from the estate of a man deceased a debt incurred prior to death of defendant. sacola for the abovementioned inspection and prays to have the

guardian of the estate pay him the stipulated 60 pesos. Alcalde Boré rules: The documents having been presented, as stated, let them be sent to Francisco Maria de Reggio.

Translator's Note:-These documents are not with this request. The certified copy mentioned in this petition has become detached. In the Calendar of documents made for the entire file of Spanish Judicial Records, there is an entry reading: 1804 (?) March 10. No number, pages 2 to 9. Pensacola, before Gabriel Maria Pizarro, Francisco de la Rua, Escribano de Guerra (Notary for War, Supposedly Clerk for the Auditor of War.) The first date legible on the 8 detached pages seems to be March 10, 1804, which must be a mistake. The year is probably 1784. This is a part of a Marine Protest relative to the damages sustained by the schooner. San Andres. Testimony of the witnesses taken at the request of Francisco Bojard. The Court completely exonerates Mr. Bojard of any blame for the damages to the San Andres. If these 8 pages can ever be located, they will be placed with this petition.—L. L. P.1

October 14.

Guillermo Marre vs. Francisco Simon. To dissolve a partnership.

No. 68. 5 pp.

Miro.

The proceedings here recorded are only a fragment of a dispute between the partners in the ownership and management of a sawmill and a plantation. There is nothing to indicate how or when the dispute was finally settled.

The record opens with a letter dated September 17, 1784, addressed to Mr. Marre, resident of the city, and signed, Simon. It reads:

Sir and Friend: I am sending a carriage to the city today for my neighbor; he is leaving for Cristovalle. Your letter has given me great sorrow, I assure you, Court of Governor Esteban but this week I shall take care of it. I am drawing two orders on you for 13/4 barrels of rice, Assessor, Juan del Postigo. or thereabouts, besides 14 quarters of corn that we owe for Mr. Escribano, Rafael Perdomo, Marigny's negro. I should like to have you a party, at the square, at mid-day, for the distribution of a pig that was killed last night. I have not said anything and will let you do as you wish and if you can find a means

to wind up our affairs, you will render a great service, even

though the trouble kills me and I do not think I can bear three months of this suffering.

I have the honor to be with profound respect, Sir and Friend. Your very humble and obedient servant, (Signed) Simon.

Guillermo Marre petitions, setting forth that he owns a plantation, mill, negroes, livestock, implements, etc., in partnership with Mr. Simon, who wishes to dissolve it, as appears from his letter, duly presented, so as to conclude a verbal agreement made between them, to leave the plaintiff in full possession of the items mentioned above, in return for a certain sum of money that he was to pay him, but when he communicated the terms of this agreement to his wife, she objected because of the great loss he would sustain and advised him not to carry it out. In fact, transferred with the said plantation was included 500 logs of wood for the mill, at 1 peso each, as all good, but upon counting them he could find only 374 in the canal, and of this number 106 were useless and the greater part of the rest would not make more than 6 planks each.

There was further included 100 logs of wood, measuring 10 feet each, valued at 3 pesos apiece, amounting in all to 300 pesos, although these logs had not cost more than 108 pesos, with the rest in proportion. However, the petitioner will not go into detail to prove the said abuse, for fear he might tire the Court, and it is not his intention to prejudice it in any way, nor does he wish to prejudice himself, but desiring to end the partnership, may it please Governor Miro to order all property belonging to the Company appraised and later sold for cash. He names Henrique Desprez for this purpose and prays to have Mr. Simon do likewise, within a short space of time, with a warning that one will be named for him if he fails to do so. Governor Miro, on Assessor Postigo's advice, rules: The letter having been presented, let this petition be sent to Francisco Simon.

[Translator's Note:—The record ends here. The case was evidently settled out of Court.-L. L. P.1

October 15.

Pedro, a negro, vs. Carlos Julien.

No number, 29 pp.

Maria de Reggio.

A note, which is the basis of the suit, is the first document filed; it reads, in part: I, the undersigned Charles Jullien, a free negro, promise to pay, within one year, to the order of Rafael, a free negro, 140 piastres for value received. New Orleans, January 21, 1783. Charles Court of Alferez Francisco Julien's mark, witnessed by Francisco Caminada, who signs for the negro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit is interesting because it was brought by one free negro to collect a debt from another free negro. The defendant died while the suit was pending; and the plaintiff then attempted to have his debt declared as privileged, and paid from the proceeds of defendant's property before other debts were paid. However, the Court held that the debt should be paid pro rats from the estate, along with all other debts of the defendant, since his property was insufficient to discharge all his obligations in full.

making a total of) 180 pesos. Done in the presence of Messrs. August 19, 1784. Signed by the latter for Raphael.

Added to the above and dated February 21, 1784, are the following words: It is agreed be-tween Raphalle, the free negro, and Charles, for the latter to pay the former 4 piastres a month.

Charles further states that he still owes 40 piastres which he will pay as they have agreed. (Signed) Charles Gulien.

Written below: Pay to the order of my son, Pierre, the sum above stated and the amount mentioned in the other part of the note, namely: (140 pesos,

F. L. de la Groue and Loisel, witnesses, dated aux Allemands,

Pedro, a free negro, repre-The Plaintiff petitions to have the desented by Pedro Bertonière, Public Attorney, sets forth in a petition, that as appears from the note, duly presented, Charles Julien, a free negro, owes him 180 pesos, and although he has asked him to pay this debt several times, he has not been able to collect anything. Therefore, he prays the Court to order the defendant, under oath and without delay, to verify his signature and swear and declare whether or not he owes the amount specified, and done deliver his deposition to the plaintiff to be used to enforce his rights. Alferez de Reggio, on Assessor Postigo's advice, rules: The note having been presented, let the defendant swear and declare, as requested. Entrust the taking of his declaration to the Escribano, and done deliver it to the plaintiff.

In the city of New Orleans, on The defendant's declaration. the said day, month and year (October 16, 1784), pursuant to the foregoing decree, the Escribano went to Carlos Julien's house to take his declaration. The free negro is known to Rafael Perdomo, so in virtue of the commission conferred upon him he administered the oath which was taken by God and the Cross, according to law, under promise of which he agreed to speak the truth, and having placed before him the obligation filed on page 1 of these proceedings, he said it is true that he owes the amount demanded and that the signature (and mark) are his. He further stated that what he has answered is the truth, and that he is 31 years of age.

The plaintiff then petitions to Pedro Bertonière, acting for his client, say that as it appears from his declaration, the defendant owes him 180 pesos, therefore he prays for a Writ of Execution against any or all of his property to the full extent of the debt, its one-tenth and costs. Francisco Maria de Reggio, on Juan del Postigo's advice, receives this petition and on October 19, 1784, decrees:

In the city of New Orleans, October 19, 1784, Francisco Maria de Reggio, Regidor Alferez Real and Alcalde Ordinario of this city and its jurisdiction for His Majesty, having seen these records, declares that he must order and does order a Writ of Execution issued against the person and estate of Carlos Julien for the sum of 180 pesos, its one-tenth and costs, up to the real effective payment. Fees 2 pesos.

Rafael Perdomo attests that the Writ which was ordered has been issued and delivered to the party.

Let the Sheriff, or in his place the Deputy Sheriff, request Carlos Julien to pay the negro, Pedro, the sum of 183 (180) pesos, and if he does not pay this sum, its one-tenth and costs, at once, take execution against his person and estate, making a formal seizure of same, which will be placed in the General Receiver's charge, in accordance with a decree rendered this day, on the advice of the Assessor, for thus it has been ordered. New Orleans, October 19, 1784. (Signed) Francisco Maria de Reggio. By order of His Honor. (Signed) Rafael Perdomo, Clerk of the Court.

In the city of New Orleans, on October 19, 1784, before the undersigned Escribano, appeared Nicolas Fromentin, Deputy Sheriff of this city, and he said that with the Writ on the reverse side of this page he requested the free negro, Charles Julien, to pay the sum, as ordered, but when he did not do so, Fromentin seized a house and lot in this city, on Bienville Street, belonging to the defendant, adjoined on one side by Mr. Raguet's real property and on the other by Mr. Liotes' place. This execution was left open to be carried into effect when the plaintiff will demand it. The Deputy Sheriff asked to have this set down as his answer, which he signed, and to which the Escribano attests. (Signed) N. Fromentin.

Pedro Bertonière, attorney for The Plaintiff petitions to have the real the plaintiff, avers that as it appears from the Deputy Sheriff's report, the defendant has not paid his debt, so for that reason he seized a house and lot belonging to him, because he could not find any movable property. Therefore, in order that he may obtain payment, may it please the Court to decree that the real estate be cried and sold at public auction. Alferez de Reggio receives this petition and later decrees:

New Orleans, October 21, 1784. Let this petition be sent to the Assessor, by the Clerk of the Court for this suit, so that the former may advise Alcalde de Reggio as to what is legal in this particular, before judgment will be rendered.

Alferez de Reggio, on Assessor Postigo's advice, rules: Let the real property belonging to Carlos Julien, that has been seized, be cried for public auction, as the law requires.

The first, second and third calls are made on October 27, November 5 and 15, respectively.

On December 20, 1784, Pedro, The Plaintiff asks for an inventory and a free negro, sets forth that his appraisement of the late defendant's opponent in this suit, Carlos Julien, also a free negro, has died without paying his debt, or leaving any disposition for doing so. In consideration of the above and to avoid prejudice, since there are other creditors, among whom he is one of the privileged, may it please the Court to order an inventory and appraisement made of the estate left by the deceased, so as to assure the payment of his debt as well as those of the other claimants, each one according to his privileges. Alferez de Reggio, on Assessor Postigo's advice, rules: As it is prayed.

A marginal note reads: Pages from 5 up to this one, 15, have been duplicated (numbered twice). By decree, on the reverse side of page 21, it was ordered to file these proceedings with the records of the Carlos Julien Succession, and in testimony whereof he sets the present down in New Orleans, March 2, 1785. To which the Escribano attests. (Signed) Perdomo.

This is a certified copy of a Power of Attorney. Power of Attorney, dated February 18, 1785, by which Pedro, a free negro, appoints Pedro Bertonière to represent his interests, particularly in the suit he has brought against Carlos Julien, now dead.

On February 19, 1785, Pedro The Plaintiff prays to file this Procurations to Alcalde Forstall, into whose Court the case has passed, stating that in order to finish this cause he duly presents a certified copy of a Procuration, by which he empowers Pedro Bertonière, Public Attorney, to act for him and prays the Court to declare it as sufficient, and in consequence to decree that it be included with all the documents relative to this matter. Alcalde Forstall rules: The Power of Attorney having been presented, let it be included with the part of the proceedings that have been admitted in the affair.

Pedro then sets forth that Carthe Plaintiff prays for an order to sell los Julien's succession having been opened, may it please the Court to order the records of this case attached to those proceedings, so that in due time he may claim the privilege that belongs to him because of his debt. Alcalde Forstall, on Assessor Postigo's advice, rules: As it is prayed.

Nothing further is done until The Plaintiff again petitions for the May 2, 1785, when Pedro again petitions, this time to say that in consequence of having cried the sale of the house belonging to the deceased, as may be proven from these records, and the time for further calling having expired, he prays the Court to order the auction. Alcalde Forstall rules: As it is prayed.

On May 6, 1785, Pedro avers Pedro petitions to have the parties cited that as the time for crying the sale has expired, may it please the Court to cite the parties for the auction of the property belonging to the deceased, that has been seized. Nicolas Forstall, on Juan del Postigo's advice, rules: (The proceedings) being at this stage, let the parties be cited for the sale.

In the city of New Orleans, on The Auction. May 30, 1785, Nicolas Forstall, Alcalde Ordinario of this city and its jurisdiction for His Majesty, assisted by the present Escribano and Pedro Bertonière, Public Attorney, went to the house belonging to the late Carlos Julien and upon arriving there proceeded to sell it at auction, as ordered by His Honor. The public crier of this city announced the sale, saying who wishes to make a bid on the said house, let him appear and his offer will be accepted, because the sale must be effected by 12 o'clock today, to the highest bidder. At this stage Francisco Collell appeared and bid 200 pesos for the house and lot, which was received and cried, then Jacovo Monsanto offered 350 pesos, Francisco Biron 390 pesos, Luis Lioteau 393 pesos. At this point the bell rang for mid-day prayers, and as no further bids were made the house and lot were adjudicated to Luis Lioteau for 393 pesos, who must comply with the conditions set forth in the order for the sale, and he signed with Alcalde Forstall and Pedro Bertonière, before Rafael Perdomo.

Pedro petitions, saying that the The plaintiff petitions to be paid. house and lot belonging to Carlos Julien have been sold to Luis Lioteau, therefore he prays to have his debt and those of the other creditors paid, each one according to its privileges. Alcalde Forstall, on Assessor Postigo's advice, receives this petition and on August 4, 1785, decrees: Whereas, let the records of the concursus of Creditors be

brought to the Court so that judgment may be rendered. In the city of New Orleans, on

Decree. August 8, 1785, Nicolas Forstall, Senior Alcalde Ordinario of this city and its jurisdiction for His Majesty, having seen the proceedings for taking the inventory and the Concursus of creditors against the estate of the deceased free negro, Carlos Julien, His Honor said that the 393 pesos, at which the house belonging to the abovenamed was sold, must be used to pay the creditors, who are Francisco Bouligny, Francisco Collell and Pedro, the free negro, prorating the debt of each one, after deducting the costs of this suit. For this is his decree, thus he has ordered and signed. Fees 5 pesos. (Signed) Nicolas Forstall and Licenciado Postigo, before Rafael Perdomo, Clerk of the Court.

Taxation of Costs. May 16, 1787.

October 28.

Feliciana Fouranger vs.

No. 3297. 2 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Fernando Rodriguez.

To prevent him from dissipating her property.

This petition is interesting as an action brought by a wife to restrain her hus-band from squandering her dowry.

Cost are taxed by Estevan de Quiñones at 61 pesos 6 reales on

Feliciana Furangin, lawful wife of Josef Dugué, resident of the German Coast, petitions to say 'that her husband's conduct is (Josef) Duget, her husband. such that he has not only wasted the little means he had, but has squandered a part of her dowry. Therefore, using her right, she prays the Court to decree that the Notaries Public of this city must not execute any acts of sale nor alienation for her husband. and that a like order be sent to the Commander at the German Coast. She further asks Governor Miro to issue a despatch, in due form, including the decree that will be rendered to this petition, so as to enable her to save the property that belongs to her. Esteban Miro, on Juan del Postigo's advice, rules: Notify the Notaries Public not to execute any written acts of sale for Josef Dugué. Let a despatch be issued and sent to the Commander of the German Coast, which must include this petition and the decree rendered to same, so that its provisions may be carried out. Fees 1 peso.

[Translator's Note:—The case is sent to the Commander at the German Coast, where all future proceedings take place.—L. L. P.]

(To be continued.)

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933, of The Louisiana Historical Quarterly, published quarterly at New Orleans, Louisiana, for October 1, 1941.

State of Louisiana, Parish of East Baton Rouge, ss.

Before me, a Notary Public in and for the State and Parish aforesaid, personally appeared Walter Prichard, who, having been duly sworn according to law, deposes and says that he is the Editor of The Louisiana Historical Quarterly, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Acts of August 24, 1912, and March 3, 1933, embodied in section 537, Postal Laws and Regulations, to-wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher, The Louisiana Historical Society, The Cabildo, New Orleans, La.; Editor, Walter Prichard, University Station, Baton Rouge, La.; Managing Editor, None; Business Managers, None.

2. That the owner is The Louisiana Historical Society, The Cabildo, New Orleans, La.

There are no stockholders. The officers are: Edward A. Parsons, President, New Orleans, La.; André Lafargue, First Vice-President, New Orleans, La.; James Wilkinson, Second Vice-President, New Orleans, La.; Frank H. Waddill, Third Vice-President, New Orleans, La.; William A. Read, Vice-President, Baton Rouge, La.; William Boizelle, Recording Secretary, New Orleans, La.; Henry M. Gill, Corresponding Secretary, New Orleans, La.; Walter Prichard, Editor, Baton Rouge, La.; J. B. Donnes, Treasurer, New Orleans, La.

- 3. That the known bondholders, mortgagees, and other security holders are:
- 4. That the two paragraphs next above, giving the names of the owners, officers, etc., contain the full list of such; also that the said two paragraphs contain statements embracing the affiant's full knowledge and belief as to the circumstances and conditions under which the said publication is published, managed and controlled.

(Signed) WALTER PRICHARD, Editor.

Sworn to and subscribed before me this 6th day of October, 1941.

(SEAL)

JULIUS E. KNIGHT, Notary Public. (My commission is for life.)